HUMAN EVENTS

YOUR WEEKLY WASHINGTON REPORT

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Remember the Morrissey Nomination?

Teddy Kennedy's Changing Judicial Views

By WALTER TROHAN

The last man of the United States Senate who should oppose the appointment of Federal Appellate Judge Clement F. Haynsworth Jr. to the Supreme Court is Sen. Edward Moore (Teddy) Kennedy (D.-Mass.).

This not because he evaded and is still seeking to evade due processes of law in the untimely death of a young woman he took riding on Chappaquiddick Island last July 17, but because he was the floor leader four years ago for one of the most unqualified men—intellectually and legally—ever nominated for the federal bench.

The man, Francis Xavier Morrissey, who was born in Suffolk, Mass., May 21, 1910, was a legal beagle for the founding father of the political family, Joseph Patrick Kennedy, and for the late President, John F. Kennedy, helping to elect the latter a congressman, a senator, and President. This does not mean Morrissey was entrusted with any important legal problems or that he was a political mentor, but that he had his uses.

Although the father asked his son to make Morrissey a federal judge, President Kennedy declined to do so and he had his reasons. When the son was assassinated, the family undertook to promote the father's favorite and President Johnson was induced to name Morrissey to the federal bench in Boston. Teddy led the fight for confirmation on the Senate floor.

Investigation developed the fact that Morrissey held a law degree from Southern Law School, a since-defunct legal diploma mill, which he attended from June to September, 1933, and which he paid $215. He got a degree from the school and was admitted to the bar by motion but never practiced in Georgia, because he was not authorized to do so.

Morrissey had attended Suffolk Law School in Massachusetts from 1927 to 1932, but didn't take his senior year. He did repeat his junior year because he had not done well in it. In 1943 he did get a bachelor of laws degree from Suffolk and a master of laws degree in 1946, and later a degree in oratory.

The Massachusetts Bar Association said Morrissey lacked experience and training and refused to indorse his appointment. While his case was before the Senate, the association was induced to change its mind and recommended him. The American Bar Association flatly opposed his appointment, holding he was not qualified to be a federal judge.

His testimony on his legal training and background was contradictory, so that his veracity came into question. In the closing hours of the 89th Congress in October 1965, Teddy was forced to throw in the towel and call for withdrawal of the nomination. This he did in a tear-jerking speech about Morrissey's rise from poverty, which was not an issue, and sliding over Morrissey's veracity, which was.

The Haynsworth nomination is something else again. The case against Haynsworth on paper is very thin, indeed, and there is no question of his qualification legally. He is being attacked on stock holdings in a fashion that is trivial if not trumped up.

Sen. Edward Kennedy (left) has based his opposition to Judge Haynsworth on high-sounding ethical considerations. But only four years ago his sponsorship of family pal Francis X. Morrissey (right) for a federal judgeship was based on such flimsy grounds that the senator had to withdraw the nomination.

But his opposition has a three-pronged purpose. His foes are against Haynsworth because he is a conservative, they are against him because he will take the place of Abe Fortas, who resigned under fire for questionable activities, and because they want to put the fear of God into other conservatives, in hopes they might elect to pass over a high court appointment if they have to go through the same mill that Haynsworth is experiencing.

(1969, Chicago *Tribune*-N.Y.*News* Syndicate)

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Capital Briefs

● Sen. **John Williams** (R.-Del.), sometimes called "the conscience of the Senate," is said to be "leaning" toward the confirmation of Judge Haynsworth to the Supreme Court. The Delaware solon, say insiders, has been impressed with the facts dug up by his old friend Clark Mollenhoff, now the President's deputy special counsel, which rebut all conflict-of-interest charges directed against the embattled South Carolina jurist. If Williams finally endorses Haynsworth, Senate observers believe he may carry with him just enough senators to put Haynsworth over the top.

● Haynsworth backers insist that President Nixon must personally meet with all the Senate **"fence sitters"** if he hopes to get confirmation of the South Carolina judge.

● Sen. **Birch Bayh** (D.-Ind.), who is leading the fight against Judge Clement Haynsworth Jr., is coming under increasing fire for his own "conflict of interest" position: his snug relationship with organized labor (see story on opposite page). Expecting to appear in the press soon, also, is a picture of Bayh with LBJ's old pal, Bobby Baker, since convicted of tax evasion. While no one is suggesting that Bayh is guilty of illegal conduct, Senate observers believe Bayh has far more to explain about his background than does Haynsworth, who has already been cleared of conflict-of-interest charges by the American Bar Association's judiciary panel.

● Ohio's acerbic Sen. **Stephen M. Young**, a longtime figure in liberal Democratic circles, announced he will retire when his term is up in January 1971. The caustic solon's departure presages an interesting year for Buckeye State politics, since the scramble for his seat is wide open. Interested Republicans include Representatives John Ashbrook, Donald (Buz) Lukens and Robert Taft Jr., as well as incumbent Gov. James Rhodes. Former astronaut John Glenn and former Rep. John Gilligan are hovering in the Democratic wings and there is even talk that ex-Sen. Frank Lausche may try a comeback.

● The national leaders of the Viet Nam Moratorium Committee, which staged the October 15 demonstration against U.S. participation in the war in Viet Nam, have endorsed the campaign of "New Mobe" to bring about a **massive march on Washington** on November 15. But even the Young People's Socialist League, a supporter of the October 15 affair, says it wants no part of the mid-November demonstrations planned by New Mobe. "The Mobe's marches convince no one to be against the war," the league said in a statement; "Many in the leadership are more committed to an NLF [Viet Cong] victory than to peace." Just what Human Events has been saying all along.

● Industrialist **Charles "Red" Payson,** whose wife is principal owner of the Cinderella New York Mets, happens to be a dyed-in-the-wool conservative. Payson, who apparently has a penchant for underdogs, acknowledges that he "was a Barry Goldwater enthusiast" in 1964.

● Senate Republican **Hugh Scott** (Pa.) made no friends at the White House last week when he urged a unilateral American cease-fire in Viet Nam. Both President Nixon and Henry Kissinger, his chief foreign policy adviser, were extremely angry that Scott lofted his plan in a way that made it look as if he were speaking for the President.

● Here to meet with American journalists and discuss the art, the dean of the department of journalism at the University of Moscow, Yessen N. Zassoursky, admitted what everybody knew already: The Soviet press is not a free press. "We believe in certain values of Marxism-Leninism," he said. "Ideas alien to communism are not expressed in our press."

● Conservative Republican lawmakers—including Representatives William Scherle (Iowa) and William Harsha (Ohio)—are angry at OEO chieftain **Donald Rumsfeld** for failing to respond to their queries. Harsha, for instance, wrote to Rumsfeld on October 3 and October 16 requesting that OEO employes responsible for distributing a "pro-riot" manual be sharply disciplined, but he has still failed to receive even the courtesy of a reply. Rumsfeld, say observers, appears to be doing little more than his predecessors in taming the OEO, and he is coming under repeated criticism from Republicans for his failure to clean out of the OEO liberal Democrats and community action "agitators."

● **Edward Boorstein**, who served as an economist for the Cuban National Bank from 1960 to 1963 under the late Communist revolutionary "Che" Guevara, has been permitted to give a pro-Castro government and economics course at Cornell University. According to Alfred E. Kahn, Dean of the College of Arts and Sciences, Boorstein was suggested as a good prospect to teach the Cuban history course by four students, including Students for a Democratic Society leader C. David Burak. A Cuban refugee student, Nestor E. Cruz, is trying to start a course designed to rebut Boorstein's pro-Marxist views, but so far he has been unable to make any headway.

● Desperate Democrats Department: Apparently convinced that none of the most prominent Democratic presidential prospects can defeat Nixon in 1972, a Washington-based group is now pushing for the presidency **R. Sargent Shriver,** America's current ambassador to France and Teddy Kennedy's brother-in-law. A "Citizens for Shriver in '72" committee, headed by former anti-poverty employe James McCartney, is now drumming up funds for Shriver in 40 states. Mrs. Richard Kochan, whose husband helps run the poverty corps' Mid-Atlantic region, is the secretary-treasurer of the pro-Shriver organization.

● Lindsay Administration officials were red-faced last week when the General Accounting Office revealed that New York was shelling out more than $70 million a year in **excessive payments to welfare recipients.** Auditors for the federal agency said that 10 per cent of the families receiving aid to dependent children were completely ineligible and another 34 per cent were receiving too much.

HUMAN EVENTS

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Readers Can Help Haynsworth

Judge Clement Haynsworth Jr., the embattled South Carolina jurist, is facing possible defeat, say Capitol Hill observers, because of a massive anti-Haynsworth campaign being conducted by both labor and civil rights organizations. Letters opposing the Supreme Court nominee, obviously spurred on by these two groups, are now flooding the senators' offices.

Supporters of the conservative-minded judge are now being asked to write their senators to help offset this anti-Haynsworth propaganda.

While the mail on either side will not necessarily be determinative, pro-Haynsworth letters will undoubtedly have a sharp impact on many of the fence-straddlers and may even help switch a few of the judge's current opponents.

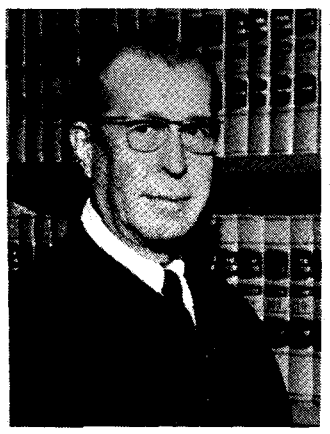
The outcome of the Haynsworth nomination is considered extremely important for conservatives—and Southern conservatives in particular. If the Senate fails to confirm the South Carolinian as a result of powerful pressures exerted by civil rights and union organizations, the President's plan to turn the Supreme Court to the right will have been dealt a bad blow. The South may also find that this is its last chance to get a Southern conservative appointed to the High Court.

A defeat may have other serious repercussions for conservatives. Having tasted blood, the labor-civil rights bloc would probably have gathered enough strength and momentum to cause further mischief in the political arena. The President, furthermore, might become extremely reluctant to select another Supreme Court nominee as conservative as Haynsworth for fear of being clobbered once again.

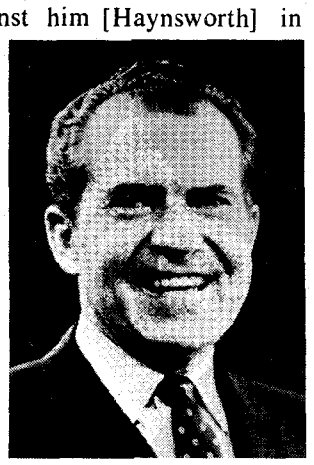
While the Haynsworth nomination faces an uphill battle at the moment, there is no doubt that it can be saved. Despite all the wild charges hurled at Haynsworth (see page 8), the opposition has yet to come up with anything that shows any shortcoming in the judge's ethics or integrity.

President Nixon, in a press conference last week, said that he was more convinced than ever—after making a personal study and evaluation of all the charges thrown at the South Carolina judge—that Haynsworth would be a credit to the Supreme Court. A prestigious panel of the American Bar Association has twice approved Haynsworth's nomination. On October 10 of this year, the six other judges of the Fourth Circuit Court of Appeals, with full knowledge of all the accusations thrown at Haynsworth, stressed their "unshaken confidence" in the ability, honesty and the integrity of Haynsworth.

Even the Washington *Post*, the liberal morning daily in the Nation's Capital, has asserted that "Few of the charges made against him [Haynsworth] in



HAYNSWORTH



NIXON

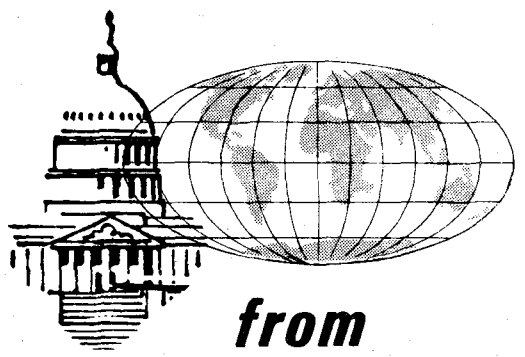
our judgment are valid. . . .Given another time. . .a man with Judge Haynsworth's record would be confirmed with a routine inquiry. . . ."

Nevertheless, the judge's chances for confirmation remain in jeopardy. Letters from readers to their senators on behalf of the South Carolinan could be of crucial importance.

Listed below are those senators considered "on the fence" regarding Haynsworth's confirmation. Republicans: Aiken (Vt.), Boggs (Del.), Cooper (Ky.), Dole (Kan.), Hatfield (Ore.), Jordan (Idaho), Mathias (Md.), Miller (Iowa), Packwood (Ore.), Pearson (Kan.), Percy (Ill.), Prouty (Vt.), Saxbe (Ohio), Scott (Pa.), Smith (Ill.), Williams (Del.).

Democrats: Anderson (N.M.), Bible (Nev.), Dodd (Conn.), Fulbright (Ark.), Gore (Tenn.), Gravel (Alaska), Jackson (Wash.), Mansfield (Mont.), McIntyre (N.H.), Pastore (R.I.), Randolph (W. Va.) and Spong (Va.).

THIS WEEK'S NEWS



from

Inside Washington

Bayh's Bias

While Sen. Birch Bayh (D.-Ind.) has been riding his white charger against Judge Clement Haynsworth Jr. for alleged "conflicts of interest," information surfaced last week that the pious Hoosier liberal is in quite a "conflict-of-interest" mess himself, far more damaging, in fact, than anything Bayh has uncovered about the South Carolina jurist.

BAYH

Bayh, according to Haynsworth backers, has been paying off a heavy campaign debt to organized labor, which actually triggered the storm over Haynsworth's Supreme Court nomination. The labor chieftains are opposing the South Carolina judge because he has refused to become a lackey for George Meany.

Astonishingly enough, Bayh concedes that AFL-CIO leaders approached him shortly after the Haynsworth nomination and asked him to examine the judge's record. Labor representatives have been in and out of his office all during the Haynsworth battle and Bayh acknowledges, according to cracker-jack Scripps-Howard reporter Dan Thomasson, "that labor had helped with some research into the judge's financial background, even helping Sen. Bayh compile his controversial 'bill of particulars' against Judge Haynsworth."

"Bayh's so beholden to organized labor, he couldn't have refused an assignment to knife Haynsworth even if he wanted to," observed one senator's staff assistant last week. Just how beholden is a matter of record. Last year, for instance, Bayh received more than $68,000 in campaign contributions from organized labor, including some $42,000 from the United Auto Workers. The UAW gift was the largest amount from any single contributor.

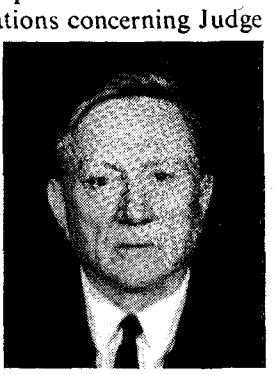
Files with the House Clerk's office also reveal that he received contributions from the United Steelworkers, the AFL-CIO's Committee on Political Education (COPE), the Teamsters Union, the International Brotherhood of Electrical Workers Union, etc.

The Indiana solon was also the recipient of $400 from the Textile Workers Union of America, whose officials were the first to raise the "conflict-of-interest" charges against Haynsworth. Nor does this exhaust Bayh's labor support, since aid from local labor groups is not reflected in records with the House Clerk.

Organized labor has not been disappointed in its investment, either. Since he was elected to the Senate in 1962, Bayh has voted "right" 97 per cent of the time, according to COPE. Thus there is the rapidly growing belief that Bayh, who favored Abe Fortas for the chief justice position, is far less interested in judicial ethics when he assails Judge Haynsworth than he is in how to best curry favor with his chief financial backer, organized labor.

Liberals Silent on Douglas

While Senate liberals are up in arms over disproved and unwarranted allegations concerning Judge Clement Haynsworth Jr., none of them appeared to take public notice of a story last week emanating from Las Vegas, Nev. That story revealed that a major source of financial support for the foundation which Supreme Court Justice William O. Douglas headed for 10 years came from a deal set up by Meyer Lansky, described by Sen. John McClellan's permanent investigations subcommittee as "one of the country's top gangsters."



DOUGLAS

Under a contract signed by Albert Parvin, Lansky was paid $200,000 for acting as a middleman in arranging the 1960 sale of the Flamingo Hotel in Las Vegas. Parvin, former head of the much-investigated Parvin Dohrmann Co. of Los Angeles, which also figures in the scandal surrounding the aides of House Speaker John McCormack, was president and 30 per cent owner of Hotel Flamingo, Inc., which owned the hotel-casino. The $200,000 was a finder's fee which Lansky received for introducing Parvin to the Florida men who purchased the hotel for $10.5 million. Parvin then used a portion of the proceeds from the Flamingo sale to help set up the Albert Parvin Foundation.

Justice Douglas helped create and direct the foundation and served as its president and only salaried officer for $12,000 a year until he resigned under fire this May.

The controversial Parvin Foundation, which has been engaged in a number of curious activities, including the funding of the left-wing Center for the Study of Democratic Institutions, was linked with Lansky and other hoodlum types earlier this year when Sherman Skolnick, who helped uncover the Illinois judgeship scandals, made the charge in a suit filed before the U.S. Supreme Court (see *Human Events*, June 7, page 3).

Sen. Carl T. Curtis (R.-Neb.) charged in June that two Las Vegas "mobsters," whom he identified as Edward Levinson and Edward Torres, were on the same payroll with Douglas when he served as president of the Parvin Foundation.

"Parvin, with Douglas on the payroll of his foundation, bought into the Fremont in 1966 and maintained a business relationship with Levinson and Torres for the continued operation of the Fremont and possibly other gambling casinos," said Curtis.

Whatever the full story, Douglas' close ties to Parvin, the Parvin Foundation and a notorious gangster would seem to have interested Senators Birch Bayh, Robert Griffin, and all the other pious upholders of judicial ethics. But as of last week none of the relentless foes of Judge Haynsworth, whose judicial ethics have been upheld twice by a prestigious panel of the American Bar Association, had anything to say about the matter.

Senate Kills Capitol Extension

In a surprise move, the Senate last week voted to overturn a House decision to appropriate $1.75

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million toward beginning a project to extend the west front of the Capitol (see *Human Events,* October 4). The Senate, by a 53-to-24 vote (see rollcall below), rejected the extension plan and voted instead for a $250,000 National Park Service study on the feasibility of restoring the facade.

The controversy over how to go about repairing the Capitol's west front, the only part of the original structure still intact, revolves around two approaches: restoration or extension. The House, despite heated criticism from many architectural authorities, had voted for the latter, an estimated $45-million project which would move the existing wall out as much as 88 feet.

This extension would create some four and one half acres of new floor space, to be occupied by 43 new large offices, 55 medium offices, five committee-conference rooms, two large dining rooms, two auditoriums, two escalators, 19 stairways and several bathrooms. Virtually all the new accommodations would be for members—predominantly senior members—of Congress.

This gift package of Capitol hideaways created additional opposition to the extension plan, especially among younger members of Congress.

"In this Congress we have already done a number of things in our own interest," said Rep. Samuel Stratton (D.-N.Y.), a House opponent of the project. "We've raised our pay, increased our staffs, and boosted our retirement benefits. Do we really need to pay this enormous sum to create . . . hideaway offices for ourselves? That is the question."

A Senate majority of 53, led by Sen. William Proxmire (D.-Wis.), gave a resounding "no" to Stratton's question. While concurring in the general consensus that the crumbling sandstone walls of the west front must be quickly repaired, Proxmire and his allies argued that the best—and cheapest—way to do this was by restoration, an approach also favored by the eminent American Institute of Architects.

Proxmire estimated that the restoration project, which would add no new space to the building, would only cost an estimated $20 million and would not take as long to accomplish as extension. In the interest of historical preservation, the Wisconsin lawmaker also noted that restoration would preserve the original outline and architecture of the Capitol and that sandstone from the same Virginia quarry first used in the building is still available.

After batting down several challenges from such powerful pro-extension senators as Joseph Montoya (D.-N.M.) and Gordon Allott (R.-Colo.), Proxmire called for a vote and the $1.75-million extension-start subsidy was knocked out of the appropriations bill. No challenge was made on the provision for a $250,000 study of restoration feasibility, so it remained in the bill.

The House, of course, had done just the reverse, deleting money for a restoration study and granting funds only for extension. The differences must now be resolved in a House-Senate Conference Committee, where just about anything can happen.

Following is the rollcall vote by which the Senate on October 21 voted to delete $1.75 million from the legislative appropriations bill for fiscal 1970. The figure represents the cost of the controversial extension of the west front of the Capitol. The amendment was offered by Sen. William Proxmire (D.-Wis.) and others.

FOR THE AMENDMENT: 53

DEMOCRATS [35]: Allen, Anderson, Burdick, Byrd (Va.), Byrd (W. Va.), Church, Cranston, Dodd, Ellender, Fulbright, Hart, Hartke, Holland, Hollings, Inouye, Jackson, Magnuson, Mansfield, McGee, McGovern, McIntyre, Metcalf, Mondale, Muskie, Nelson, Pastore, Proxmire, Randolph, Ribicoff, Symington, Talmadge, Tydings, Williams (N.J.), Yarborough and Young (Ohio).

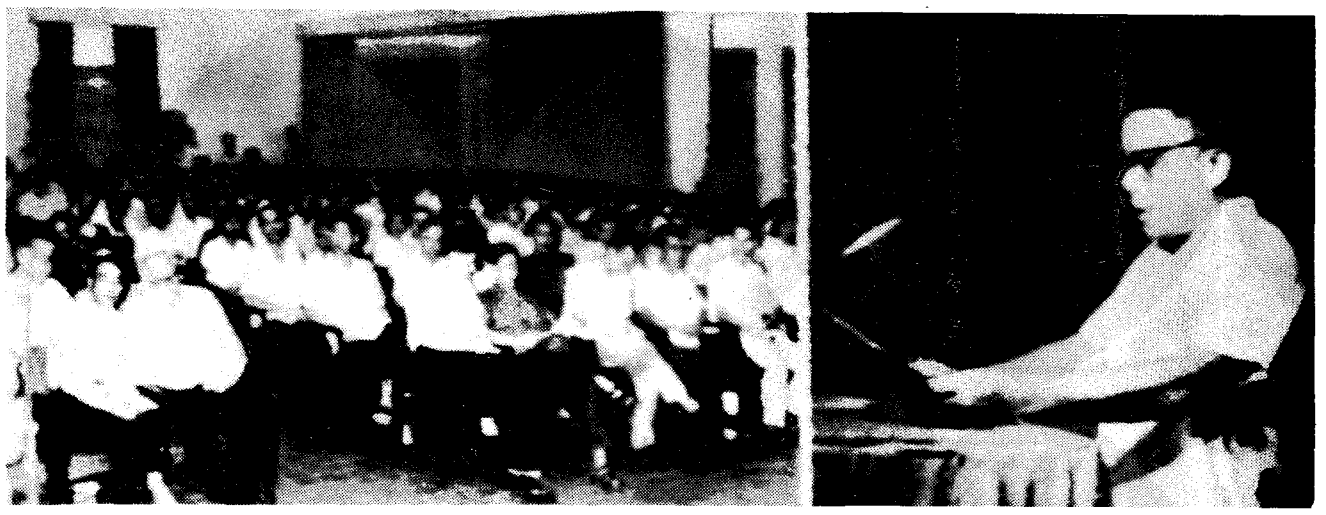
REPUBLICANS [18]: Case, Cook, Dole, Dominick, Fannin, Goldwater, Griffin, Jordan (Idaho), Mathias, Miller, Murphy, Packwood, Pearson, Saxbe, Schweiker, Scott, Smith (Ill.) and Williams (Del.).

AGAINST THE AMENDMENT: 24

DEMOCRATS: (7): Gore, Jordan (N.C.), Long, McClellan, Montoya, Russell and Stennis.

REPUBLICANS (17): Aiken, Allott, Baker, Bellmon, Bennett, Boggs, Cotton, Curtis, Fong, Goodell, Hansen, Hatfield, Hruska, Prouty, Smith (Maine), Tower and Young (N.D.).

NOT VOTING: 23



On October 15 (Moratorium Day), this radiophoto from Hanoi was released with the following caption: "A Hanoi lawyer, Phan An, right, vice president of the Viet Nam Committee for Solidarity With American People, speaks to a group of North Vietnamese. The meeting was held to welcome and support the American people's Fall offensive."

The November Moratorium

Apparently unconcerned or even pleased that their activities are being enthusiastically hailed in Hanoi, the leaders of the nation's two largest anti-war organizations have agreed to cooperate in planning major "peace" protests for mid-November, including a massive march in the Nation's Capital. The goal: an immediate, unilateral withdrawal of all American troops from Viet Nam.

The Vietnam Moratorium Committee, which staged the October 15 nationwide "peace" demonstration, will try to persuade as many people as possible across the country to stop work on November 13 and 14, but a Moratorium spokesman also declared that "we're going to invite and encourage people to come to Washington or San Francisco on the 15th."

The November 15th date may be even more explosive, for that has been set by the New Mobilization Committee to End the War in Viet Nam (New Mobe) for the staging of huge "peace" demonstrations in both Washington, D.C. and San Francisco.

Sam Brown, the pro-Viet Cong leader of the Moratorium, said he and other national coordinators of the Moratorium would participate in the New Mobe-sponsored rally and would "encourage others to join us," a signal to the fence-sitters that New Mobe, despite its extremist nature, is okay with Sam.

Thus once again it is crystal clear that Sam Brown and the Moratorium leaders, far from being just the youthful idealists pictured in the mass media, are purposeful, cynical men who have allied their group and its innocent followers with the Communist and pro-Communist-saturated New Mobe organization.

Created during a July 4-5 "peace" gathering in Cleveland, Ohio, New Mobe is clearly an extremist outfit. The gathering was attended by approximately 900 persons, many of whom were delegates from anti-war groups comprising well-known Communist sympathizers, radical pacifists and individuals identified in sworn testimony as Communists.

The October 21 *Washington Report,* whose editorial board is comprised of such prestigious gentlemen as Dr. Walter Judd and Edgar Ansel Mowrer, confirms *Human Events'* previous assessment that New Mobe is awash with pro-Communist leaders. The organization's steering committee, says *Washington Report,* includes, "Arnold Johnson, public relations director and legislative representative of the Communist Party, U.S.A. (CPUSA); Irving Sarnoff, who has served as a member of the District Council, Southern California CPUSA; Sidney M. Peck, a former state committeeman, Wisconsin CPUSA; Dorothy Hayes of the Chicago Branch, Women's International League for Peace and Freedom, who has been identified in sworn testimony in 1965 as a Communist party member; Sidney Lens (Sidney Okun), leader of the now defunct Revolutionary Workers League; and Fred Halstead, 1968 presidential candidate of the Socialist Workers party. Moreover, Steering Committee member David Dellinger, Mobe chairman, declared in a May 1963 speech: "I am a Communist, but I am not the Soviet-type Communist."

Such, then, are the leaders of the new, mid-November anti-war protest movement. Does your congressman support either the Moratorium or New Mobe?

• The Washington *Post* reported last week that both Senators Mark Hatfield (R.-Ore.) and Charles Goodell (R.-N.Y.) "expressed broad support for activities planned by the Vietnam Moratorium Committee and the New Mobilization Committee to End the War in Viet Nam." Other dovish lawmakers, apparently, are waiting to see what President Nixon says in his November 3 nationwide television address on the Viet Nam situation.

• Below are the names of the 28 senators and 56 congressmen who endorsed the October 15 Moratorium:

SENATE DEMOCRATS: 24

Birch Bayh (Ind.), Frank Church (Idaho), Alan Cranston (Calif.), Thomas F. Eagleton (Mo.), J. W. Fulbright (Ark.), Fred Harris (Okla.), Philip Hart (Mich.), Vance Hartke (Ind.), Harold Hughes (Iowa), Edward M. Kennedy (Mass.), Eugene J. McCarthy (Minn.), Thomas J. McIntyre (N.H.), Lee Metcalf (Mont.), Walter F. Mondale (Minn.), Edmund S. Muskie (Maine), George McGovern (S.D.), Gaylord Nelson (Wis.), Claiborne Pell (R.I.), Jennings Randolph (W. Va.), Abraham Ribicoff (Conn.), Stuart Symington (Mo.), Joseph D. Tydings (Md.), Harrison Williams (N.J.), and Stephen M. Young (Ohio).

SENATE REPUBLICANS: 4

Clifford Case (N.J.), Charles E. Goodell (N.Y.), Mark Hatfield (Ore.) and Jacob Javits (N.Y.).

HOUSE DEMOCRATS: 47

Brock Adams (Wash.), Jonathan Bingham (N.Y.), George E. Brown Jr. (Calif.), Edward P. Boland (Mass.), John Brademas (Ind.), Phillip Burton (Calif.), Shirley Chisholm (N.Y.), William Clay (Mo.), John Conyers (Mich.), Emilio Daddario (Conn.), Bob Eckhardt (Tex.), Don Edwards (Calif.), Leonard Farbstein (N.Y.), Donald Fraser (Minn.), Jacob Gilbert (N.Y.), William J. Green (Pa.), Augustus Hawkins (Calif.), Ken Hechler (W. Va.), Henry Helstoski (N.J.), Andrew Jacobs Jr. (Ind.), Robert Kastenmeier (Wis.), Edward I. Koch (N.Y.), Allard K. Lowenstein (N.Y.), Richard D. McCarthy (N.Y.), Spark Matsunaga (Hawaii), Abner Mikva (Ill.), Patsy T. Mink (Hawaii), Arnold Olsen (Mont.), Richard L. Ottinger (N.Y.), Bertram Podell (N.Y.), Adam C. Powell (N.Y.), Thomas M. Rees (Calif.), Henry S. Reuss (Wis.), Benjamin Rosenthal (N.Y.), Edward Roybal (Calif.), William Fitts Ryan (N.Y.), William L. St. Onge (Conn.), James H. Scheuer (N.Y.), Louis Stokes (Ohio), Frank Thompson (N.J.), Robert O. Tiernan (R.I.), John V. Tunney (Calif.), Morris K. Udall (Ariz.), Charles A. Vanik (Ohio), Jerome R. Waldie (Calif.), Lester L. Wolff (N.Y.) and Sidney Yates (Ill.).

HOUSE REPUBLICANS: 9

Daniel E. Button (N.Y.), Silvio O. Conte (Mass.), Marvin L. Esch (Mich.), Paul Findley (Ill.), Seymour Halpern (N.Y.), Paul N. McCloskey (Calif.), F. Bradford Morse (Mass.), Ogden R. Reid (N.Y.) and Donald W. Riegle (Mich.).

Senate OK's More Red Trade

By a 49-to-24 vote, the Senate last week overrode Administration objections and passed a bill designed to greatly reduce curbs on U.S. trade with the Soviet Union and the Communist nations of Eastern Europe. Pushed by Senators Walter F. Mondale (D.-Minn.) and Edmund Muskie (D.-Maine), the principal provisions of the legislation are aimed at freeing 1 100 of 1,300 items on the U.S. strategic list for sale to Communist nations.

Under the current Export-Control Act, U.S. exporters cannot sell to Communist countries any of the goods on the government's "strategic" or "positive" list without a validated license from the Department of Commerce. The Mondale-Muskie bill, on the other hand, would make it possible for all but 200 items on the list to be shipped abroad without a validated license.

This would be accomplished through a number of devices, including the scrapping of regulations banning U.S. shipments that contribute to the "economic potential" of a recipient Red country. U.S. goods similar to those that can be purchased by the Reds in other countries will also no longer be banned or restricted.

While this may sound reasonable, trade ex-

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perts stress that many U.S. items "similar" to those in other nations are often vastly superior in quality. Thus, the Mondale-Muskie bill will permit superior quality goods, including computers, machine tools and other items of crucial economic and military importance to be shipped to the Soviets without licensing and restrictions.

In debating the Mondale-Muskie measure, which was opposed by the Administration, Sen. Harry Byrd (D.-Va.) declared: "It is inconceivable to me that we can relax our export policy with the Russians while they provide the bulk of the raw materials to the North Vietnamese war effort."

Sen. Wallace Bennett (R.-Utah), along with senators John Tower (R.-Tex.) and Peter Dominick (R.-Colo.), tried to demolish the legislation with an amendment, but were resoundingly defeated. Apparently most of the senators, despite the Viet Nam war, Czechoslovakia, the SS-9, Alexander Kuznetsov, the unnerving accounts of Soviet Russia by Anatole Shub, etc., ad nauseam, agreed with Mondale's statement that this new measure was needed because "Joseph Stalin is dead."

Following is the rollcall vote by which the Senate on October 22 voted to pass the Mondale-Muskie amendment to the Export Control Act to increase U.S. trade with Communist countries:

FOR THE AMENDMENT: 49

DEMOCRATS (33): Anderson, Bayh, Burdick, Cranston, Ellender, Fulbright, Gravel, Harris, Hart, Hollings, Hughes, Inouye, Jackson, Long, Magnuson, McGee, McGovern, McIntyre, Metcalf, Mondale, Montoya, Moss, Muskie, Nelson, Pastore, Proxmire, Randolph, Ribicoff, Symington, Tydings, Williams (N.J.), Yarborough and Young (Ohio).

REPUBLICANS (16): Aiken, Boggs, Brooke, Case, Cooper, Fong, Goodell, Mathias, Miller, Packwood, Percy, Prouty, Schweiker, Scott, Smith (Maine), and Young (N.D.).

AGAINST THE AMENDMENT: 24

DEMOCRATS (7): Allen, Byrd (Va.), Dodd, Holland, Jordan (N.C.), Spong and Stennis.

REPUBLICANS (17): Allott, Bellmon, Bennett, Cook, Cotton, Curtis, Dole, Dominick, Fannin, Griffin, Gurney, Hansen, Hruska, Murphy, Pearson, Thurmond and Williams (Del.).

NOT VOTING: 26

PAIRED AGAINST: Byrd (D.-W. Va.).

McCormack in Hot Water

Democratic leaders were badly shaken last week by burgeoning scandals involving close associates of House Speaker John McCormack (D.-Mass.). Federal grand juries in New York and Baltimore are investigating McCormack and his friends, as are Justice Department operatives in Washington.

McCormack has denied any knowledge of the wheeling-dealing and many Republicans and Democrats have risen to his defense, but Life magazine's crack reporter, William Lambert, insisted last week that the Speaker "was more than naively involved in whatever took place in his office."

Lambert charged, among other things, that McCormack's office, stationery and name were used by Nathan A. Voloshen, a New York wheeler-dealer and close friend of the Speaker's. On one occasion, Lambert said, Voloshen sat in McCormack's chair and received a $5,000 payoff from a convicted tax evader in an unsuccessful attempt to fix his case.

Voloshen, a 71-year-old lawyer, is also a close friend of Dr. Martin Sweig, whom McCormack suspended as his administrative assistant last week after newspapers reported Sweig had used the Speaker's name in interceding with regulatory agencies in behalf of questionable associates.

Lambert said that Voloshen received $75,000 to arrange favorable federal and state prison handling of convicted embezzler Edward M. Gilbert. According to Lambert, McCormack then phoned the New York state parole commissioner, asking that Gilbert be given an early release.

"Literally dozens of fixed cases, near-fixes and plain shakedowns emanated from Voloshen's power base in the Speaker's office," according to Lambert. He cited these alleged cases:

• Voloshen received $5,000 from the Mafia family of Vito Genovese to block the transfer of mobster Salvatore Granello from the Danburg, Conn., House of Correction, to a less desirable prison.

• Another Mafia figure, Manuel Bello, was released from a New York state prison after Sweig spoke with state parole officials. A New York state judge who is a close friend of Voloshen's rearranged Bello's sentence so that he could be released earlier.

• Voloshen interceded successfully for Ben Cohen and Philip Simon, two Miami entrepreneurs, in their takeover of the Bank of Miami Beach. A charter was granted after the Florida state controller received a telephone call from a man who identified himself as Speaker McCormack. (Both Voloshen and Sweig are reported to have impersonated McCormack in telephone conversations with various government agencies.)

• Voloshen pocketed $20,000 from Baltimore contractor Victor Frenkil for efforts made by Voloshen and Sweig to get Frenkil $5 million in "overpayments" for work on the Rayburn House Office Building garages.

McCormack has steadfastly denied any wrongdoing and many believe he will prove his innocence to the satisfaction of his colleagues and constituents. Meanwhile, however, the House's venerable leader was weathering one of the roughest storms in his lengthy political career.

Hayakawa Shapes Up S.F. State

A year ago this fall the campus at San Francisco State College exploded in chaos and disruption that lasted several months, closing classes, causing injuries and resulting in yard-upon-yard of newspaper copy across the nation. Today the S.F. State campus is one of the quietest in the land.

HAYAKAWA

The primary cause of this turnaround has been the firm hand of Dr. S. I. Hayakawa, the noted linguist installed as university president after the trouble started a year ago. Dr. Hayakawa has slowly assumed power and authority over virtually every aspect of the campus and today runs one of the "tightest shops" in the country.

The former disrupters and campus radicals now admit they have been "badly beaten." Some indications of this:

• A year ago an S.F. State black student leader George Mason Murray gave a fiery speech in which he said other black students should bring guns on campus to protect themselves against alleged "racists." This led to Murray's being fired from his teaching assistant's job, an administration action that precipitated the campus turmoil. Since that time Murray has already served one six-month jail term as a result of an "inciting to riot" complaint sworn out by Dr. Hayakawa, is currently appealing a second jail term, has dropped completely out of the black militant ranks and claims he has witnessed a renewal of religious faith.

• Two leading faculty radicals, Dr. Nathan Hare, who is black, and Dr. William Stanton, who is white, have been dismissed by Hayakawa and are no more to be seen on campus.

• Members of the S.F. State American Federation of Teachers, actually a small fraction of the total faculty, went on strike last January, partly to get higher salaries and partly in sympathy with student radicals. Today, largely as a result of quick enforcement of a state law which "assumes resignation" when a teacher is absent from his job for five consecutive days, 319 of the AFT members are appealing to the State Personnel Board to get their jobs back.

• In the recent Academic Senate elections, four liberal faculty members endorsed by the AFT were roundly defeated while four others, described as "moderate-to-conservative," were elected. "I think the faculty feels the need for a reconciliation," explained Dr. Frederic Terrien, a moderate who is now chairman of the senate.

• Last year the liberal-dominated S.F. State student government provided funds—both openly and secretly—from its treasury to radical causes. Today the government has no money at all, its funds being tied up in accounting suits brought before local courts.

In short, Dr. Hayakawa has made S.F. State into a university once again.

Disappointment for 'Chicago 8'

Louis Salzberg, a free-lance photographer who infiltrated the New Left movement for the FBI, testified in Chicago last week that he heard Thomas Hayden, one of the eight men charged with conspiring to incite riots during the 1968 Democratic National Convention, say the purpose of the demonstrators was to disrupt the convention.

Salzberg, whose appearance surprised the defendants who had been unaware of his role, said he had heard Hayden make this statement at a meeting in a New York church held on March 14, 1968. Salzberg said Hayden told the group of 100 persons that the sponsoring groups for convention demonstrations expected more than 200,000 persons to attend and that disruption of the convention was the broad purpose of the National Mobilization Committee to End the War in Viet Nam.

When Salzberg later brushed by David Dellinger, another defendant, leader of National Mobe and coordinator for New Mobe, which plans a mass march on Washington on November 15, Dellinger could only say: "Quite a let-down, Louis. I'm disappointed in you."

Spiro 'Turns On' Liberals

The liberals have been in an absolute state of apoplexy since Vice President Spiro Agnew has begun teeing off on them recently. First, he positively had them livid when he had the audacity to ask the Moratorium enthusiasts if they cared to disassociate themselves from Hanoi's embrace. When he blasted the leaders of the anti-war protest movement as "hard-core dissidents and professional anarchists" who are being encouraged by "an effete corps of impudent snobs who characterize themselves as intellectuals," Agnew was only telling it like it is, but the liberals went berserk.

The Washington *Post* solemnly proclaimed that Agnew was no longer a laughing matter. Now Agnew has angered the Democratic leadership by pointing out that Ed Muskie was "playing Russian roulette with U.S. security" because Muskie wants the U.S. to declare a six-month halt in testing MIRV, even though the Soviets might continue testing themselves.

The liberals, of course, can call Haynsworth a crook, Goldwater a racist, the President "Tricky Dick," Ho Chi Minh a patriot, etc., without anyone batting an eyelash.

The liberals, noted columnist David Lawrence last week, seem to be creating the impression that while "their kind of dissent comes under the heading of 'free speech,' the outspoken remarks of Vice President Agnew in recent days are not covered by the same kind of constitutional privilege."

'News' Poll Shows Lindsay Leads

First returns from the New York *Daily News* straw poll put Mayor John Lindsay up front with a pluralty of votes in the city's three-way mayoral race. Lindsay polled 44 per cent of the vote, compared with 33 per cent for Democratic Mario Procaccino and 20 per cent for Republican-Conservative John Marchi.

A breakdown of the vote shows Lindsay "drawing broad support from the young, blacks, Jews, Puerto Ricans and the better-educated," according to the *News*. Lindsay's pitch to liberal Democrats appears to be paying off. The *News* shows Lindsay with 44 per cent of the Democratic vote, with Procaccino taking down 40 per cent and Marchi the rest.

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Poverty and Foreign Aid Bills Facing Trouble in House

From the Allen-Goldsmith Report

The next meeting of the House Education and Labor Committee will see a final showdown on the long-pending, multi-billion-dollar anti-poverty authorization bill—provided there is a quorum and the meeting takes place.

At the committee's last meeting, October 14, no official business could be transacted because of lack of a quorum. Nine of the 15 Republican committeemen were present, but only a few of the 20 Democrats.

If a quorum is on hand at the next meeting, it is very likely the committee will approve the Administration's bill.

This measure would extend the life of the Office of Economic Opportunity for two years with no changes in authority and programs, and authorize a $2.048-billion budget for the current fiscal year, and $2.148 billion for the next fiscal year starting July 1, 1970.

The strong likelihood this will be done is due to the fact that the Administration's measure has the backing of 15 of the 20 Democratic committeemen and nine of the 15 Republicans. This gives the bill a nominal majority of 24 out of 35 committeemen.

The committee's endorsement of the measure, which has been pending before it since last February, does not insure adoption by the full House.

In fact, it is certain to face vigorous opposition there.

That certainly is the backstage reason for the Education and Labor Committee's long delay in disposing of this legislation. Rep. Carl Perkins (D.-Ky.), chairman, has been stalling action in an effort to avoid amendments aimed at drastically curbing various OEO operations.

Foremost among these restrictions is giving local and state officials greater controls over programs and agencies. Outstanding among them are community action groups—which have been widely charged with inciting riots and other disorders.

Leading bipartisan members of the committee favor including such local and state controls.

Rep. Albert Quie (Minn.), second-ranking Republican committeeman, and Rep. Edith Green (Ore.), second-ranking Democratic committeeman, are known to have such amendments.

Rep. Edith Green (D.-Ore.) favors curbing some community action groups which have been involved in urban tensions.

Rep. William Scherle (R.-Iowa), another influential committeeman, has amendments going even further. He wants strong limits placed on community action operations.

The committee could have wound up its work on the bill several weeks ago, but was prevented from doing so by Chairman Perkins. He deliberately blocked final action by hurriedly adjourning the session when he was unable to prevail on Rep. Quie and other members to offer amendments they are known to contemplate.

Following is what happened at this closed-door meeting:

Rep. William Steiger (R.-Wis.) moved that the Administration's bill be approved unchanged for submission to the full House.

But before a vote could be taken, Perkins called for amendments. When none were forthcoming, he turned to Quie and said, "Albert, you have some amendments. Why don't you offer them now?"

"There is nothing I care to propose at this time," Quie replied quietly.

Perkins made the same demand of other committeemen, to no avail. Whereupon, he adjourned the session "until next week."

The following week the committee met but was unable to act because of lack of a quorum. Whether a quorum will show up at the next meeting is anyone's guess. Only time will tell.

Rep. Shirley Chisholm (D.-N.Y.) has been in Congress only 10 months, but already she is letting it be known that she is aiming to be a member of the Education and Labor Committee "in my next term." The committee now has four Negro members—all Democrats.

One of them, Adam Clayton Powell (N.Y.), was chairman until deposed in 1967 on charges of misusing government funds. He was also refused his seat in the House, but that was restored at the beginning of this session with the requirement that he repay $25,000 in misspent money. The sum is being deducted from his monthly paycheck.

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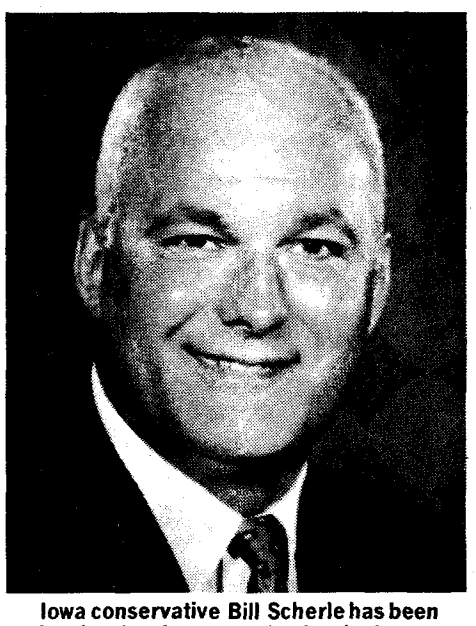
The multi-billion-dollar foreign aid bill, which has been pending in the House Foreign Affairs Committee since last February, is tied up in a new snarl.



Iowa conservative Bill Scherle has been in the forefront of the battle for increased local control of poverty and education programs.

This latest delay is due to the uncertainty of the bipartisan supporters of the measure over whether they have the votes to win approval for a provision creating an "Overseas Private Investment Corporation" with a capital of $100 million to be put up by the government.

Purpose of this innovation—proposed by President Nixon—is to "mobilize and facilitate the participation of private capital and skills in the economic and social progress of less developed friendly countries."

This project has encountered vigorous bipartisan opposition in the backstage deliberations of the committee.

Both Democrats and Republicans have assailed it as a "new gimmick to circumvent the mounting hostility to continued large-scale foreign aid expenditures." An aggressive leader of this opposition is Rep. H. R. Gross (R.-Iowa).

So close is the line-up in the committee on this issue that its backers deemed it advisable to avoid a showdown at the committee's meeting two weeks ago. The session was hastily adjourned to give them additional time to bolster their ranks. As a consequence, final action on the legislation was again postponed.

Whether the measure will be finally disposed of this week is an open guess. Opponents of the OPIC plan are saying they will insist on a vote regardless of the outcome.

Under the Administration's proposal, OPIC would be run by a president and an 11-member board of directors. The president, board chairman and four of the members would be appointed by the President of the U.S. The other six board members would be government officials. All would have to be confirmed by the Senate.

A main function of OPIC would be to guarantee private investments and loans in foreign countries in order to ensure them "against loss due to risks and upon such terms and conditions as the corporation may determine."

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RED PARTY PURGE—Moscow-trained Gus Hall, general-secretary of the Communist Party, U.S.A., is directing a full-scale purge of "revisionists." Apparently at Kremlin direction, Hall is cracking down on American comrades who have criticized Russian occupation of Czechoslovakia. Among those reportedly dropped from leadership positions: Dorothy Healey, district chairman for southern California, and Gil Green, the New York state chairman.

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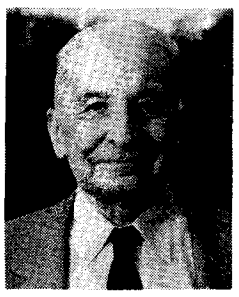

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Answers to All Major Anti-Haynsworth Charges

Replies, as has often been noted, have a hard time catching up with the original charges. This is all the more true in the case of Judge Clement Haynsworth, who, ever since his nomination to the Supreme Court, has been buffeted by a wide variety of charges. Almost all of these allegations, upon analysis, turn out to be totally unfounded and, in the opinion of Human Events, *none of them is reason for his disqualification. By their sheer number, however, these charges have confused many members of the public—and the U.S. Senate. To help separate fact from fiction, below is a summary of the major charges against Judge Haynsworth and brief replies to them. Most of the charges were made by Sen. Birch Bayh (D.-Ind.). The replies are based on material gathered by Senators Ernest Hollings (D.-S.C.) and Marlow Cook (R.-Ky.), presidential aide Clark Mollenhoff, the Washington* Evening Star *and our own investigation. Readers who support Judge Haynsworth's nomination are urged to write their senators immediately. The final vote on confirmation is now scheduled for early November.*

Despite the wild charges against Judge Clement F. Haynsworth, President Nixon says, "I have examined the charges. I find that Judge Haynsworth is an honest man. . . .I am going to stand by him until he is confirmed."

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CHARGE

Haynsworth voted with a 3-to-2 majority of the Fourth U.S. Court of Appeals on Nov. 13, 1963, to permit the Deering Milliken textile company to close an affiliated plant in Darlington to avoid unionization there. At the time the judge had a one-seventh ownership interest in Carolina Vend-A-Matic Co., which was then doing $100,000 worth of business a year with Deering Milliken interests. The judge should have disqualified himself because of that connection.

REPLY

The judge definitely should not have disqualified himself because: (1) Vend-A-Matic was not involved in the case in any way; (2) The Darlington plant did not even use Vend-A-Matic machines; (3) Vend-A-Matic's gross receipts from Deering Milliken interests amounted to only 3 per cent of its total volume of business; (4) The judge, in fact, actually had a *duty* to sit on the case.

Former Federal Judge Lawrence E. Walsh, chairman of the American Bar Association's Committee on Judicial Selection, for instance, testified there was "no conflict of interest in the Darlington case that would have barred Judge Haynsworth from sitting and we also concluded that it was his duty to sit."

John P. Frank, a leading authority on judicial disqualification, stated that "under the standard federal rule Judge Haynsworth had no alternative whatsoever [in the Darlington case]. It is a judge's duty to refuse to sit when he is disqualified, but it is equally his duty to sit when there is no valid reason not to. . . . I do think that it is perfectly clear under the authority that there was literally no choice whatsoever for Judge Haynsworth except to participate in that case."

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CHARGE

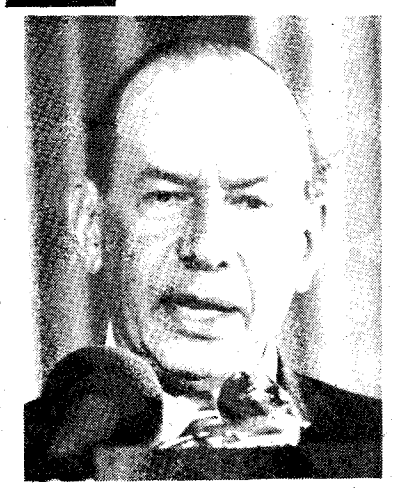
The judge should have disqualified himself from the Darlington case because it was crucial to the economic health of the entire Southern textile industry, which he had helped develop and which was the source—in 1963—of three-fourths of Vend-A-Matic's business.

REPLY

The court ruling was only one of three decisions involving the Deering Milliken plant's labor situation and the judge ruled *against* the company in the last of these. His role in helping develop the textile industry was confined to normal legal advice given as a private attorney. Vend-A-Matic's business had outlets other than textiles and its over-all business reflected a cross-section of companies in the area.

Furthermore, there is no indication whatsoever that the vending machine business would have in any way been adversely affected, even if all the various rulings in which Haynsworth participated had gone against the textile industry.

Sen. Birch Bayh's charges against the judge have been found to be riddled with factual errors.



Opponents of Haynsworth have muddied the waters by claiming that his activities are as reprehensible as those of former Justice Abe Fortas.

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CHARGE

In his "bill of particulars," Sen. Birch Bayh (D.-Ind.) charges that since 1957, when the judge was appointed to the bench, Vend-A-Matic's gross sales have risen dramatically from $296,413 in 1956, for instance, to $3,160,665 in 1963, the year Judge Haynsworth ruled on the Darlington case. The judge, he notes, also took an active part in Vend-A-Matic affairs—at least nominally holding office as vice president and director until 1963, attending regular board meetings, receiving director fees as high as $2,600 and having his wife Dorothy serve as secretary for two years. Bayh thus raises the prospect that Haynsworth's name and judicial position were used to promote his business in some improper way.

REPLY

Sen. Bayh makes no charge that Judge Haynsworth performed even one questionable act to solicit business for the food vending firm. He only insinuates that the increased profits of Carolina Vend-A-Matic must have been somehow related to the fact that Haynsworth was a federal judge. There is, however, absolutely no evidence that Judge Haynsworth ever did solicit business for Carolina Vend-A-Matic, a finding that has been corroborated in an impressive manner.

Wade Dennis, who became general manager of Carolina Vend-A-Matic in 1957, states that "Judge Haynsworth did not involve himself in any way in the management or direction of the company, and in no case did he participate directly or indirectly with the solicitation of any business, or intervene in our behalf with any client. . .he would have had no way of knowing what account we served or who we were in the process of trying to sell." Virtually all business was gained "by sales efforts followed by bidding among competing companies."

The Dennis statement is supported by a letter from an official of Carolina Vend-A-Matic's leading competitor. Alex Kiriakides Jr., of Atlas Vending Company, Inc., Greenville, S.C., in a letter to the Senate Judiciary Committee, stressed his concern over what he termed "the slanders which are being circulated in the press about Judge Haynsworth and Carolina Vend-A-Matic."

Kiriakides made these significant points: (1) The food vending business in South Carolina and in the United States has had a phenomenal growth, and "the experience of Carolina Vend-A-Matic was not in the least unique to it"; (2) His own business, Atlas Vending, experienced comparable growth, as did other similar businesses in the area; (3) He competed with Carolina Vend-A-Matic for locations in textile plants and other industrial plants and the practice in the area was to make the awards on the basis of open bidding; (4) Carolina Vend-A-Matic was not developed on the basis of anyone using anyone's influence on anybody.

"I know that Judge Haynsworth's name was never used in an attempt to influence anybody," Kiriakides said. "As a very active competitor, I knew what was going on in the business, and I would have heard of it if it had been." "Carolina Vend-A-Matic, under the direction of Mr. Wade Dennis," stated Kiriakides, "operated in an honest and honorable fashion."

Furthermore, Simon Sobeloff, chief judge of the Fourth Circuit Court in 1963, conducted an investigation that year to determine the validity of an allegation that Judge Haynwsorth had favored Deering Milliken in the Darlington case because Deering Milliken personnel had promised to throw additional business to Carolina Vend-A-Matic.

Judge Sobeloff concluded that this was emphatically not the case, forcing an apology from the counsel of the Textile Workers Union who had originally asked Sobeloff to investigate the charge. Judge Sobeloff, moreover, stressed that he was "assured that Judge Haynsworth has had no active participation in the affairs of Carolina Vend-A-Matic, has never sought business for it or discussed procurement of locations for it with the officials or employes of any other company."

●

CHARGE

Sen. Bayh charges the judge had a conflict of interest when he participated in a 1959 ruling favorable to Homelite Co., which did a total volume of business of $16,000 with Vend-A-Matic that year.

Just as in the Darlington case, Vend-A-Matic was not at issue, and the judge voted in favor of Homelite only because the other litigant had committed fraud. Judging from the testimony given by ABA official Lawrence Walsh and ethics expert John Frank, furthermore, the conclusion is inescapable that Judge Haynsworth had an equal duty to sit on this case

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involving customers of Vend-A-Matic as he did in the Darlington Corp. case.

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CHARGE

The judge had a conflict of interest when he participated in 1959 and 1961 cases involving Cone Mills Corp. Vend-A-Matic sales to Cone Mills and its subsidiaries totalled $97,367 in 1959 and $174,314 in 1961.

REPLY

Vend-A-Matic was not involved in either court case. The judge, moreover, voted *against* Cone in both cases. Again, the Walsh and Frank testimony suggests that Haynsworth would have been required to sit on these cases.

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CHARGE

The judge had a conflict of interest when he participated in 1962 and 1963 cases involving Deering Milliken Research Corp. Vend-A-Matic sales to Deering Milliken totalled $50,000 in 1962 and $100,000 in 1963.

REPLY

Vend-A-Matic was not involved in either court case. Each case involved only procedural questions, not necessarily favorable or unfavorable to Deering Milliken Research Corp. The Walsh and Frank testimony would also apply here.

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CHARGE

Sen. Bayh accused Haynsworth of having a conflict of interest when he participated in a 1961 case involving Kent Manufacturing Co. In that year, Vend-A-Matic had sales of $21,322 to a Kent subsidiary named Runnymeade.

REPLY

There is no connection between Kent Manufacturing, a Maryland corporation which makes fireworks and was the litigant mentioned by Sen. Bayh, and the Kent Manufacturing Co. in Pennsylvania which operated the Runnymead plant in Pickens, S.C. Bayh even withdrew this charge after Haynsworth backers revealed the error.

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CHARGE

Sen. Bayh charged that in the last five cases Judge Haynsworth "held a financial interest in one of the litigants substantial enough to require disqualification under 28 USC 455 and to constitute impropriety under the canons of judicial ethics."

REPLY

The accusation is absolutely false. One of the five cases listed by Bayh was the Brunswick case. The Fourth Circuit Court unanimously agreed to the disposition of the case on all issues on Nov. 10, 1967, more than one month before Haynsworth purchased $16,000 worth of Brunswick stock. Judge Harrison Winter, who wrote the opinion, maintained that Haynsworth had broken no judicial code in purchasing the stock, even through Haynsworth himself acknowledges that he had been careless in purchasing the stock before the written opinion had been actually released. Whether Brunswick won or lost the case, however, could not possibly have made any material difference to its stockholders, since the amount involved was minimal. Asked bluntly by Sen. Strom Thurmond whether Haynsworth's purchase of the stock should disqualify him from the Supreme Court, Judge Winter replied: "I don't consider it the slightest disqualification."

Another of the five cases listed by Bayh was *Merck vs. Olin Mathieson Chemical Corp.* Judge Haynsworth, it turns out, never owned any Merck stock and never owned any Olin Mathieson stock. Bayh now says his staff researchers misread a business transaction and that this charge "is an error."

Two more of the "big five" cases involved Grace Lines and Maryland Casualty Co. Haynsworth, it develops, also owns no stock in either of these companies, but Bayh contends he should have disqualified himself because he owns stock in the parent corporations. Yet the canons of judicial ethics do not forbid a judge to own stock in a subsidiary or parent corporation of a litigant. And court cases strongly suggest a judge is not required to disqualify himself unless he owns stock in the litigant itself. Furthermore, Judge Haynsworth's rulings involving both Grace Lines and Maryland Casualty would have had virtually no impact on the value of the stock of the mammoth parent corporations. Using Bayh's reasoning, it is contended, a judge could not rule on, let us say, General Motors, if he owned a mutual fund which, in turn, owned shares of General Motors, for he might somehow "benefit" from the decision.

The last of the big five cases—*Darter vs. Greenville Community Hospital*—was decided in 1962. This case, according to President Nixon's deputy counsel, Clark Mollenhoff, "demonstrates the absurdity of Sen. Bayh's allegations that Judge Haynsworth was involved in conflicts of interest because of a substantial interest in corporations that had business before his court."

Judge Haynsworth had absolutely no interest in the Greenville Community Hotel Corp. or in any company having any interest in that corporation in 1962. On April 26, 1956, before Haynsworth was on the court, one share of Greenville Community Hotel Corp. stock worth only $21 was transferred to him so he could be a director of that corporation. He held that position until he went on the bench in 1957.

A short time later, Jan. 1, 1958, Judge Haynsworth did receive a check for 15 cents, the 1957 dividend on his one share. Judge Haynsworth, thinking he no longer owned that one share, sent the check to Alester G. Furman Jr., who had transferred the one share of stock to him two years earlier. Furman then returned the 15-cent check to Judge Haynsworth and Judge Haynsworth listed that 15-cent check as income on his tax return. The one share was later transferred to Furman, who sold it on Aug. 1, 1959, for $21.

"Yet, here in October of 1969," says Mollenhoff, "Sen. Bayh is charging that Judge Haynsworth had a substantial interest in the corporation in 1962, is in violation of the law, and is engaged in what he contends is 'impropriety.' Either Sen. Bayh did not know all the facts when he made his statement and was lax if not irresponsible in making the charge, or he knew the facts and deliberately distorted."

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CHARGE

The judge was involved, along with others, in a South Carolina cemetery venture with Robert G. "Bobby" Baker, the discredited former Senate Democratic secretary who resigned under criticism for his business dealings.

REPLY

There were 25 individuals and business firms involved in the venture, which Haynsworth entered purely on the advice of others. He did not see or communicate with Baker in connection with the investment. He has had only three conversations with Baker, the last in 1958, years before Baker got into trouble with the Senate. Sen. John Williams (R.-Del.), who took a leading part in exposing the questionable activities of Baker, says he has looked over his files and "can find no reference which would connect Mr. Haynsworth with Bobby Baker in an improper manner." He has also warned his colleagues to beware of discrediting Haynsworth on the basis of "guilt by association."

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CHARGE

The judge has an anti-labor record in his judicial performance. He has sat on 10 cases which were reviewed by the Supreme Court, and in all 10 his position was reversed by the Supreme Court.

REPLY

None of the Supreme Court reversals suggested that the decisions being overturned were "anti-labor." Two of the 10 cases were not even labor-management cases. Besides the cases that went to the Supreme Court, Haynsworth has written eight pro-labor opinions and joined in 37 other pro-labor rulings. Even Sen. Bayh has told Dan Thomasson of the Scripps-Howard papers that he believes labor may have a "weak case" in its argument that Judge Haynsworth's decisions as a member of the Fourth U.S. Circuit Court of Appeals show he generally opposed unionism. Thomasson writes that Bayh actually admitted that there are cases in which Judge Haynsworth obviously ruled for labor.

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CHARGE

The judge is an opponent of civil rights.

REPLY

There is absolutely no pattern that would establish bias. As in his labor decisions, some decisions were in favor of the party claiming an infringement of civil rights and some decisions were not. Prof. G. W. Foster Jr., a strong civil rights advocate, has appraised Judge Haynsworth's record in these words: "I have thought of his work, not as that of a segregationist-inclined judge, but as that of an intelligent and open-minded man, with a practical knack for seeking workable answers to hard questions."

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CHARGE

There is no difference between the Abe Fortas case and the Haynsworth case.

REPLY

There is all the difference in the world.

Last May, the American Bar Association, in a letter to Sen. John Williams, stated: "The conduct of Mr. Fortas while a Supreme Court justice, described in his statement of the facts, was clearly contrary to the canons of judicial ethics even if he did not and never intended to intercede or take part in any legal administrative or judicial matters affecting Mr. [Louis E.] Wolfson."

Fortas resigned without ever making a public disclosure of all the facts in question.

By contrast, the ABA has supported the Haynsworth nomination. His handling of the Darlington case has also been defended by the ABA and other leading authorities on judicial conflict of interest.

Unlike Fortas, Judge Haynsworth has revealed his financial holdings in a detail that has few if any parallels in the history of judicial confirmations.

Presidential assistant Clark Mollenhoff, freshman Sen. Marlow Cook (R.-Ky.) and Sen. Ernest Hollings (D.-S.C.), among others, have gathered the material refuting the publicity-grabbing charges made against Judge Haynsworth. Unfortunately many senators unfairly decided against Haynsworth without even waiting to hear his side.

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History As It Might Have Been

By MORRIE RYSKIND

The 1776 Tonkin Bay resolution—sometimes known as the Declaration of Independence—that empowered George Washington to use the army as he thought necessary, was put over on a trusting people by the military-industrial complex of the day. Only a few voices were heard in protest, for to many it seemed the list of charges therein was accurate, and even Sen. Fulbright voted for the measure.

But as the war dragged on and seemed endless, the opposition escalated. Yet it wasn't until the battle of Harlem Heights, fought but a few steps from King's College (now Columbia U.), that activist students spoke out.

They had till then restrained themselves, but the noise of the battle had disrupted an SDS rally. Moreover, the lads felt that the British general, Howe, was justified in trying to seize some of the buildings, and that Washington had acted like a pig in using violence against the attempted sit-in. And they bitterly denounced the American troops, who had overreacted and whose brutality caused the death or capture of some 70 of Howe's light infantry.

Bertrand Russell demanded Washington be tried as a war criminal, and George III cried out at this flagrant ignoring of the Geneva Convention. "Next thing you know," he warned prophetically, "those Yanks will begin using napalm."

Some 80 noted educators from all the 13 Colonies issued a stern reproof of the tactics used. Washington pretended to ignore it, but nevertheless fired Gen. Hershey in an obvious attempt to placate both the academy and the Smothers Brothers.

But Mayor Lindsay wasn't fooled and, on Johnny Carson's show, alerted Fun City to the menace. As a result, the morale of the Continentals hit bottom, and Howe had little difficulty in capturing Fort Washington and driving the rebels completely out of Manhattan.

Washington then retreated to Saigon (Pa.) to regroup his forces. On the night of December 26, he planned to furtively cross the Delaware and surprise the Hessians (a minority group) at Trenton, where they were observing a Tet Truce.

But he was foiled when a veritable flotilla of college crewmen, all of whom had won ther letters in various regattas, surrounded his vessel and prevented it from moving while they chanted, "Yankee, go home!" And so the Hessians were able to celebrate the Christmas of 1776 in the peaceful spirit of the season.

Later while Washington was luxuriating with his troops at Valley Forge, the Rev. Ralph Abernathy led a Poverty March to that famous winter spa. Confronting the militarist, the minister asked why the troops were living on the fat of the land while the poor were being neglected. This so shamed Washington that he bade his mercenaries to turn over some of their war-ration delicacies to the peace-lovers.

Meanwhile, many voices in Congress also complained that the cost of the war was interfering with social progress. The money wasted on the troops might have built new homes and schools. Children were being denied sex education, fluoridated water and the other simple necessities.

But it wasn't until Benedict Arnold, originally a hawk on the war, recanted and was then tried on the spurious charge of treason, that Washington got his comeuppance.

Although a reactionary court convicted Arnold, the Civil Liberties Union appealed the decision on the ground that the alleged incriminating papers found on Major Andre—and on which the whole case rested—had been taken from Andre without a search warrant, which was a clear violation of privacy and a denial of his constitutional rights.

The higher court thereupon reversed the decision and Arnold, freed, was hailed as a hero and was promptly engaged to teach a course on "British Culture" at Berkeley.

The ensuing clamor forced Washington's resignation and he retired to Mount Vernon in ignominious seclusion. He was replaced as head of the Continental forces by Dr. Spock, who then brought the hostilities to an end by graciously surrendering to Cornwallis at Yorktown and autographing a copy of his book for the Englishman.

And everybody lived happily ever after.

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The Joe McCarthy Hang-Up

By JENKIN LLOYD JONES

Unless the American people are prepared to put up with increasingly bold and successful disruption by the militant left, they had better get over their Joe McCarthy hang-up.

The "McCarthyism" syndrome goes like this: It is acceptable to view with alarm the behavior of individual leftists. But each instance must be treated as an isolated phenomenon. As soon as you draw a parallel between that behavior and the aims and purposes of international communism you are guilty of McCarthyism.

In the chill dawn after the champagne whoopee at Yalta and Potsdam, America discovered that while we had obliterated the clear and present danger of Nazi aggression and Japanese expansionism, we had also elevated the cynical and ruthless power of the Kremlin.

The rape of Central Europe proceeded smartly. The revelation that Mao was something more than an "agrarian reformer," as our State Department had been advised, threw a cloud of doubt over some advisers, and the quick giveaway of the H-bomb secrets made us spy-jittery.

So when Sen. McCarthy of Wisconsin made a radio broadcast in West Virginia in which he claimed proof of umpteen spies in the State Department alone, the nation was ripe for believing.

Not that McCarthy didn't have a lot of dope. During the era of utter innocence in the first New Deal, Commies did insinuate themselves into high posts in some government departments. And Commies never hire conservatives. So some fine cells had been put together.

But poor old Joe didn't have all the facts he claimed. He made some wild swings. And the Red strategists saw their chance.

The cry arose that a reign of terror was fastening on America, that freedom of speech and conscience was threatened and that a neo-Nazism was being born. The result was paradoxical.

Liberals, conservatives and middle-of-the-roaders all caught the fever. Entire college faculties outdid each other in denouncing "McCarthyism," even as they claimed that professors were afraid to speak. For years, all the journalism prizes went to the hottest anti-McCarthy editorials even as the frightening charge was made that he had cowed the press.

I was in Europe during the height of the brouhaha, and my European friends asked seriously and earnestly if it were not true that thousands of innocent Americans had been hustled into concentration camps. The mild hysteria of McCarthyism was superceded by the overwhelming hysteria of anti-McCarthyism.

The scientific fact that intrigues Communist theoreticians most grew out of the experiments of the great Russian physiologist, Dr. Ivan Pavlov, back in 1902. He proved that by conditioning dogs to certain stimuli, specific reflexes could be induced, even to the point of a manufactured neurosis.

This is the reason for the loudspeakers on the corners, the endless banners, the perpetually shouted "Thoughts of Mao." This is brainwashing.

The techniques used on America's intellectuals were, of course, much subtler. The provable Reds stayed in the background. But the results were fine.

Poor Whittaker Chambers, who sacrificed his career to unmask Alger Hiss, lies in his grave under a cloud because many of our best citizens can't get over the idea that what he did was not quite nice.

The confused Warren Supreme Court set about the systematic dismantling of every legislative safeguard designed to make it difficult for Communists to live on the public payroll while engineering the destruction of the state. And in September's "Socialist Scholars" convention on Long Island we heard professors well dug in to the faculties of great universities demanding "a total break with America."

The revolutionaries are surfacing with the arrogant confidence that America's ability to react against an open assault on its institutions and traditions from within has been perpetually paralyzed by fear of being charged with bigotry.

Like Pavlov's dogs which slobbered every time he rang the dinner bell, too many intelligent Americans have fallen into confusion whenever someone has hollered that an investigation is only a witch hunt.

Joe McCarthy has been dead for a dozen years. And the parallel between the kind of an America our avowed overseas enemies would like to see and the kind of an America our internal revolutionaries are trying to produce is pretty plain.

Maybe it's time we came out of the trance.

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Behind the SIU's Mammoth Political Contributions

By RALPH de TOLEDANO

"Voluntary unionism" is a dirty word in labor circles—and a study of the Seafarers International Union will tell you why. The SIU is a relatively small union—some 45,000 members—but its methods give it more political punch than many of the labor mammoths.

The SIU, for example, poured $215,000 into the Hubert Humphrey presidential campaign last year, after wasting a mere $50,000 in trying to nail the nomination for President Lyndon Johnson. Then, to show that its heart was in the right place, it bought up $10,000 worth of tickets to a Republican dinner after Richard Nixon had won the presidency.

The SIU's tough president, Paul Hall, draws a salary of $33,382 and in one year added $52,470 in personal expense vouchers, a total of close to $90,000. No one questions Mr. Hall about this, nor does Congress raise the "conflict-of-interest" issue when an SIU-pushed subsidy for the maritime industry exceeds budget requests by $124.3 million. Of course, 10 of the 13 congressmen who spoke up for the increased subsidy receive campaign contributions from the SIU.

But Paul Hall and the SIU are not selfish. In 1966 they contributed $17,000 to one congressman's campaign, in 1968, $30,000 to a senator's, and $3,200 to a powerful House committee. This year, moreover, the SIU spent $4,952 for a junket by a group of congressmen to New York City.

These are facts generally known. Most unions do this kind of thing, though not so lavishly as the Seafarers. What is not generally known is how this small union raises the cash for this kind of lobbying and campaigning. Mr. Hall gets the money (1) because he runs what amounts to a closed shop, presumably outlawed by labor-management statutes; (2) because Congress is afraid to interfere; and (3) because the union membership, deprived of its rights under the 5th Amendment to associate or not associate, can do nothing about it.

Now *Washington Monthly*, a left-of-center publication, comes up with some answers in a piece written for it by Jerry Landauer of the *Wall Street Journal*. Mr. Landauer points out that it costs a minimum of $1,100 to join the SIU—"$300 in initiation fees and at least $800 to cover special assessments." A new man, he adds, "must retroactively pay all assessments levied on the membership since 1940."

Alien sailors can get work on American ships, which have a much higher pay scale, only through the SIU hiring hall, particularly if they want to get in on the lucrative Vietnamese sea trade. To be hired, therefore, they must sweeten the SIU's "special political fund."

Mr. Landauer goes down the line naming the ships and the aliens, and listing their "contributions." On the S. S. *Western Planey*, alien saliors "contributed" at least $100 each, with some Filipino sailors kicking in as high as $300. On the S. S. *St. Lawrence*, aliens contributed $500 each to the "political fund." On the S. S. *Sea Pioneer* and the S. S. *Christopher*, "contributions from alien sailors, collected on payday right on board ship, ranged from $100 to $500."

Is it any wonder that in 1968 the SIU's campaign chest contained almost $1.03 million? This sum was largely collected on ships subsidized by the American taxpayers, with aliens paying as much as one-third of their salaries to help elect candidates in a country where they cannot vote.

It is all more than a little illegal—and doubly so, since the SIU fails to "identify donors of $100 or more, as required by the Federal Corrupt Practices Act." It is also a more than unusual sick situation since it gives the SIU, one of the most powerful lobbies in Washington, the muscle to get the House Appropriations Committee to add $164 million for ship construction while it lops $47 million from the Nixon Administration's crime-fighting budget, as Jerry Landauer points out.

It well may be pointed out that Paul Hall and the SIU were singled out by the *Washington Monthly* because of the staunchly pro-Viet Nam positions they have taken. But facts are facts. It will be interesting to see if the monthly now begins to dig into the political contributions of the United Auto Workers or the International Brotherhood of Operating Engineers. It will also be interesting to note the reaction of some senators, now clamoring over the alleged "conflict of interest" in the case of Judge Haynsworth, who have been on the receiving end of SIU largess.

It's a safe bet that if Congress has its way, the flagrant violations of law and legitimate trade union practices set forth by Mr. Landauer will go into the round file. Once upon a time, Sen. John McClellan might have opened the SIU Pandora's box, but he is busy working the Army over. After all, how many soldiers have million-dollar campaign funds?

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How About Some 'White Studies' Programs?

By RUSSELL KIRK

Now and again I have written hard things about "black studies" curricula in colleges. Some—though by no means all—of those readers with African ancestry who write to me are grieved. So let me make points clearer by an analogy.

Why do we hear of no "white studies" programs? Why discriminate against white studies at Howard University, Tuskegee, Atlanta University, and other well-known institutions of higher learning? Why not respond to the demand of the "white power" bloc on the campus? I outline below what probably would be a representative white studies curriculum, parallel with the black studies program already established on many a campus.

White Studies 101: History of Caucasian Culture. Vigorous indoctrination in cultural superiority of Great Blond Nordics. Works of Gobineau, Nordau, and Rosenberg used as texts. 5 credits.

White Studies 102: White Religion. Emphasis on Norse mythology, cult of Wotan in Germany, early Celtic revelation. Was Christ an albino? Unique soul of the white race analyzed. 3 credits.

White Studies 103: White Literature. Pro-slavery writings of ante-bellum period emphasized. Inferiority of Italian and Spanish literature (touch of tarbrush) demonstrated. Illustration ("Song of Roland," "Treasure Island") through literature that violence is a natural and beneficial aspect of white civilization. 3 credits.

White Studies 201: White Music. Exclusive genius of Aryan peoples in composition and execution of music. Approximately one-half the course will be devoted to appreciation of Wagner. 3 credits.

White Studies 202: White Politics. Achievement and maintenance of white supremacy; how to organize white pressure groups; genius of white political theory. *Mein Kampf* exhaustively examined. 3 credits.

White Studies 203: White Revolutionary Movements. Strategy and tactics of Nazi Germany and the Soviet Union in dealing with racial minorities appreciated. The White Terrors of Russia and Hungary, c. 1917-20, employed as study models. Simon Legree as culture hero. Laboratory practice with Mace and armed helicopter. Methods of organizing white revolution in the Congo, Ethopia, Haiti and Zambia. 10 credits.

White Studies 301: White Metaphysics. Why only Caucasians are rational. Moral superiority of blanchitude. Special lectures by leaders of Ku Klux Klan and other intellectual bodies. 5 credits.

White Studies 302: White Urban Problems. Oppressed ethnic groups in the American city: Poles, Italians, Eskimos. How to break the black power structure in Cleveland, Gary, and Harlem. Why white children must have white teachers. Special federal programs for Aryan ghettos. 5 credits.

White Studies 303: Seminar in WASP Achievement. Supervised term papers in such subjects as "White is Gorgeous," "Natural North European Coiffures," "White Polar Bear Militancy," "Whites Shall Overcome." 15 credits.

Perhaps you object, gentle reader, that this curriculum is absurd in part, baneful in part? Perhaps you think it unworthy of any college or university? Possibly you feel that it wouldn't prepare a young person to live with himself, or prepare him for any profession?

Well, you're quite right. But those objections are equally valid when black studies are in question. Incidentally, only blond militants will be given tenure in the white studies department: only Whitey understands Whitey. And there will be plenty of scholarships for the white culturally deprived. And automatic white Ph.Ds., of course.

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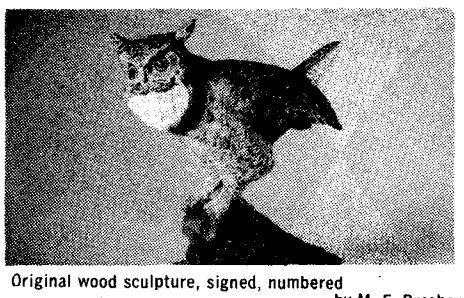

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A candlelit "Fast for Freedom" was held in Washington, D.C., on the Mall between the Lincoln Memorial and the Washington Monument. The ceremony was sponsored in part by the Young Republicans and Young Americans for Freedom.

The area in front of the White House got its share of patriotic sentiment as marchers walked by. Seated in the background along the fence are Moratorium demonstrators taking an apparent break.

Other Activities on Moratorium Day

What About the Vast Majority of Non-Protesters?

Contrary to what you were probably led to believe by the national media, October 15 was not a day marked exclusively by massive protests against the war in Viet Nam. Not only were there significant—and largely unreported—demonstrations in support of President Nixon's Viet Nam policy, but the meaning of the Moratorium itself is highly debatable.

Noting that numerical assessments of the number of persons participating in Moratorium activities ranged from 500,000 to one million, the Montgomery (Ala.) *Advertiser* said in an editorial:

"Taking the higher guess, which would include the curious, those who showed up with no sympathy whatever for the movement or those who merely came out for the 'happening' or the entertainment, this was a pathetic turnout.

"The Moratorium was, by any numerical assessment, a flop, although the publicity build-up was masterful.

"In a nation of more than 200 million, a half-million or even a million is the barest token. . . . More than nine times as many [one million] went to the polls and voted for George Wallace last November, and George certainly didn't claim he'd won. . . .

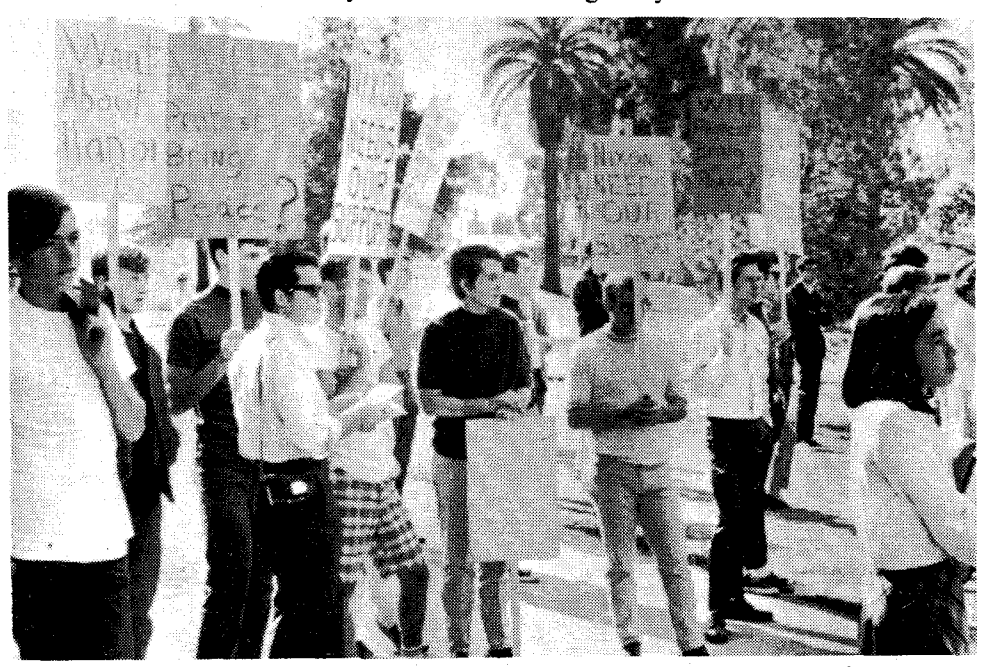
"By what strange non-Euclidian mathematics is it that this small number—small in both individual city turnouts and the wildest national estimates—can conceivably be said to represent 200 million Americans, some 122 million of them of voting age?

"It was a massive flop, despite all the feature attractions, the speakers, the entertainers, etc."

The *Advertiser* also pointed out the subtle strategy behind the "wild estimates" and the supposed importance of these alleged great numbers of demonstrators. By inflating both the figures and their significance, the Moratorium leaders could proceed to say, as did Boston organizer Jerome Grossman, "We don't see how President Nixon can fail to change his policies."

Not so, said the *Advertiser*. "Nixon has not been handed anything approaching a plebiscite to alter the course he has chosen, weighing all the risks and imponderables. On the contrary, he has been given a highly articulate, silent mandate to continue on course. He was given this by more than 199 million Americans who *didn't* turn out for what was suggested by some wire services and newspapers, with reckless abandon, to be an overwhelming expression for immediate withdrawal [from Viet Nam]."

While not meaning to dispute the *Advertiser's* point, many of the fabled "silent" majority were not so silent on October 15, and they *did* turn out—to show their support of the President. Among many such events:



President Nixon's alma mater, Whittier College in Whittier, Calif., was the scene of this counter-demonstration. To put the Moratorium in perspective the Montgomery (Ala.) Advertiser pointed out that nine times as many people voted for George Wallace as participated in the anti-war protests.

• In Wellington, Kan., a rural farming community of some 8,000, Mayor Herman Zogelmann draped his town in red, white and blue bunting.

• In New York City, where vote-hungry Mayor John Lindsay had ordered city buildings to lower the American flag to half-staff in honor of the Moratorium, at least one group of policemen raised the flag on their precinct building to full-staff and symbolically surrounded the flagpole in defiance of Lindsay. On another occasion Lindsay was drowned out by counter-demonstrators as he attempted to read a Moratorium pronouncement from the steps of City Hall. At Shea Stadium, where the fourth game of the World Series was being played, the military band and honor guard refused to participate until the flag was raised to full-staff, amid cheers from the crowd.

• Hundreds of students at President Nixon's alma mater, California's Whittier College, marched in support of their most noted alumnus.

• An informal coalition of six veteran and political groups in Minnesota—including the American Legion and YAF—took out a full-page ad in the Minneapolis *Tribune* commending President Nixon "for your leadership in striving to bring about a just and honorable peace to Viet Nam." "This is a nation of proud and peace-loving Americans," the ad copy concluded, "yet ready to stand up and be counted if our national survival is at stake."

• In North Carolina the wife of a Marine officer now serving in Viet Nam walked over 100 miles to hand an American flag to Gov. Robert Scott at the capitol in Raleigh.

• Georgia's Gov. Lester Maddox led both a pro-Administration march and a chorus of "God Bless America" on the capitol steps in Atlanta.

• The city council of Beaumont, Tex., proclaimed an October 15 "Support Our Boys in Viet Nam Day" to counter the Moratorium, and suggested that citizens wear red, white and blue armbands as a contrast to the protestors' black regalia.

• A Moratorium demonstration at South Dakota's Black Hills State College was buzzed by a private airplane which dropped thousands of leaflets saying "America, Love It Or Leave It."

• Perhaps the largest anti-Moratorium action came in Washington, D.C., the site also of the biggest Moratorium march. On the Sunday before the Wednesday anti-Viet Nam demonstrations, a group of about 30 students, ended a three-day "Fast for Freedom" by eating a meal of pumpkin soup and pig fat, the regular diet of American prisoners-of-war in North Viet Nam, on the steps of the Lincoln Memorial. The fasters, together with some 50 other Administration supporters, also held a candlelight march around the Mall's Reflecting Pool and heard speeches from Viet Nam veterans and Chinese refugees.

A young Marine in New York City waves the flag during an anti-Moratorium protest.

Organizers of this demonstration, which attracted the attention and support of several members of Congress, received an appreciative telegram from President Nixon; it read:

"I have noticed your three-day fast for freedom in Viet Nam and I am grateful for your understanding and support of our patient efforts to achieve peace in Viet Nam with freedom and justice, without which any peace could not be durable or endurable."

With the subsequent press attention to the Moratorium activities, President Nixon could not have known that there were millions more persons, whether actively demonstrating or giving silent support, to his efforts to bring peace to Viet Nam and honor to America. But, nevertheless, they were there.

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Movie Report

'True Grit' as True Culture

By HARVEY HUKARI in *The New Guard*

For far too long conservatives have virtually ignored the political importance of culture as a potent weapon in the war to win men's minds. With the possible exception of literature, where conservatives seem to excel if not predominate, the American right has evinced little interest in promoting its own creative people in the arts or doing more for the state of culture in America than merely perusing the art section of *Time*. In contrast, the left has continually used its cultural heroes, be they singers, painters or dramatists, to help it convey and popularize its world view.

Traditional American virtues will receive a boost if John Wayne gets an Academy Award for 'True Grit.'

Folk singing, which draws on the deep, rich heritage of our nation for its substance, has somehow become the private fiefdom of the left in this country. Whether it is Joan Baez, Pete Seeger or any number of performers in the folk or pop field that have become so popular, all too many of them are prone to recite the ritualized liberal-left cliches at their concerts or on their records, and all conservatives can come up with is Everett Dirksen reciting poetry.

The virtual absence of prominent conservatives in the cultural arena is due in part to an inability of most of them to comprehend or even be aware of the tremendous influence which the various popular art forms have on our media-conscious world.

Among youth, rock music and the cinema have done more to mold social and political attitudes than 500 broadcasts of Life Line can ever hope to. Yet, instead of realizing that a form of cultural renaissance is taking place in this country and that it is being adroitly co-opted by the left, conservatives are content to find comfort in the fact that Allen Drury has sold quite a few books.

Where on the right does one find artists whose creative productions are manifestations of their political or spiritual beliefs? Where does one find conservative or libertarian themes regularly expressed in music, the theatre or film? . . . Sadly, conservative criticism of culture is largely confined to a review of the accomplishments of liberals and their more extreme brethren.

Do not despair totally, however, for there is one area of artistic endeavor for American conservatives which is avowedly their own and where men of their political predisposition dominate the scene: The Western movie.

While the Western has been a solid staple of the film industry ever since Edwin S. Porter produced *The Great Train Robbery* in 1903, no other cinematic figure has been more closely identified with the genre than Young Americans for Freedom's own Honorary Advisory Board member, John Wayne. At this stage in time, Wayne is one of the few genuine cultural heroes which the American right can embrace without embarrassment.

Not all of Wayne's films can be labeled artistic achievements; witness the drab quality of *The Man Who Shot Liberty Valance* and the silliness of the more recent *El Dorado*, yet all of them have conformed to one of the principal canons of capitalism: they made a profit. Perhaps the most striking tribute to his continued popularity is the fact that since 1929 he has made more than 200 films and not one of them has ever lost money.

While Wayne has appeared in numerous action-adventure movies like *The Hellfighters* and *Donovan's Reef*, he has made the Western his specialty. John Wayne is identified with the Western not simply because he has done so many of them, but because he has also played important roles in such classics of the genre as the 1939 version of *Stagecoach, Red River* in 1948, and *The Searchers* in 1956. His latest film, *True Grit*, may also fall into that same category of classics.

The story line of *True Grit* is clean, hard and unpretentious like a good Western should be. Adapted from the best-selling Charles Portis novel of the same name, it relates the tale of young Mattie Ross from "near Dardanelle, Yell County" who sets out to find the dastardly Tom Chaney who shot her poor father down in the streets of Fort Smith.

In her pursuit of the killer, Mattie, portrayed admirably by newcomer Kim Darby, enlists the aid of U. S. Marshal Rooster Cogburn, played by Wayne, and also picks up the services of a Texas Ranger, played by Glen Campbell. Together, this law-and-order troika tracks Chaney and a band of cutthroats through "Indian territory" and brings them to justice after a lot of action and pretty scenery has passed across the screen.

What makes *True Grit* a potential classic is its highly effective evocation of the mood of the West in the 1880s. The use of marvelously archaic language, the festive overtones of the hanging sequence at Fort Smith, the amusing scene where Mattie bests the wary horse trader, played by Strother Martin and, of course, the superb job of acting turned in by Wayne himself, all combine to give the audience a feel of what the West must have been really like in the days of *True Grit*.

While almost every liberal film critic in the country slammed away at *The Green Berets* for its simplistic and hawkish analysis of the Viet Nam war, the critical response to Wayne's performance in *True Grit* has been surprisingly favorable.

It appears that now the Establishment film critics are starting to review John Wayne's films and not his politics. Those who were once fiercely critical of his staunch political stance are now referring to him as the Old Pro and suggesting that he may well receive an Academy Award nomination for his portrayal.

True Grit may not carry the political impact of a Joan Baez concert, but it assures many of us that integrity, self-reliance and honesty are qualities worth conserving while at the same time giving us one of the most entertaining films of the year.

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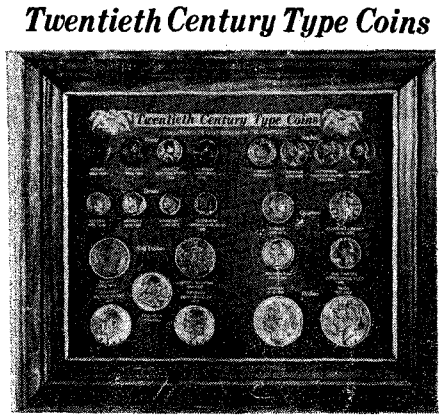

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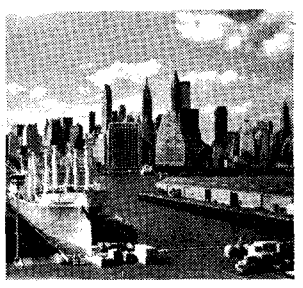

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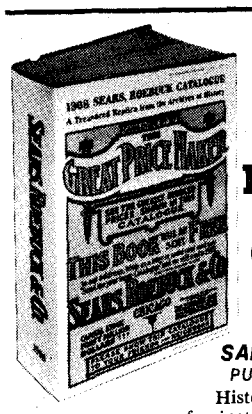

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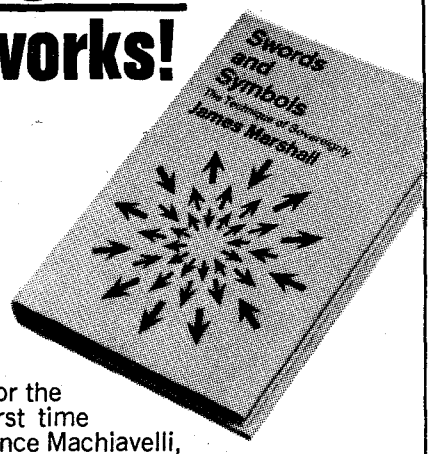

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Non-Governmental 'Involvement'

GOP Opens 'Action Centers' in Big Cities

By VICTOR RIESEL

Detroit:—Off-Broadway is getting further and further off. And this is a long way to fly to a movie premiere. But the Republicans are getting turned on in the black ghettos and they have a 36-minute color film to prove it.

Here in Walter Reuther's town they debuted a motion picture with the not very swinging title—"Report on Republican Action Centers." But it's a swinging idea. Young Republicans, white and black, are trying to prove that they "care"; that they have "soul"; that they want to wash the old Franklin Delano Roosevelt caricature of the big business party right out of their image.

That, in effect, is what their national leaders say. That, in effect, is what the film tries to impart—a do-it-yourself, get-with-it action program for identifying with the black communities.

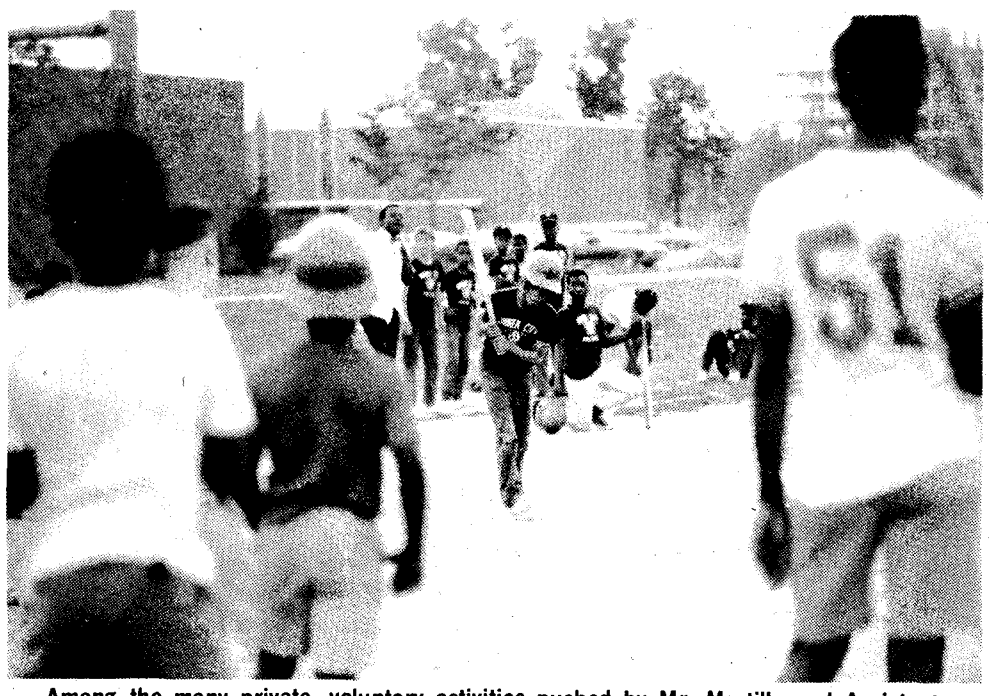
If it works, the young men and women will prove that ombudsmanship is no monopoly of the Kennedys or the Democratic party.

Fact is that some Republicans here—in a state where the United Auto Workers have over 600,000 members and Walter Reuther—have been trying to prove this with their first Action Center since April 1967. They hit a mighty lonesome trail some months before the ghastly riots which burned a chunk of this auto town. They were mostly white in a black area—Michigan's 13th Congressional District. They were mostly older folk—some 75 per cent were white and their chairman was 65.

They were "taken off the wall" by Assistant Republican National Committee Chairman Elly Peterson and a 26-year-old, John Martilla, chairman of the national Action Center program. Today he's aged. He's 29 and very itinerant trying to recruit black activists for Action Centers in 10 cities before January 1.

The Martilla-Peterson combination launched their Operation Ombudsman, of course, with no crystal-ball knowledge of the 1967 riot to come. They turned their "storefront" headquarters at Forest and Woodward into an old-fashioned complaint center. A local radio station constantly aired spot announcements inviting in the citizenry. Black folks started coming in with protests against snafus in government, stagnant garbage, deadened street lamps. Then the riot flashed through the streets and souls of Detroit.

The Republican Action Center got swinging. It was the biggest independent supplier of food and clothing to the charred neighborhoods. Five huge vans moved the logistics. Smaller trucks shuttled between warehouses and the people. Some say at least 80 tons of relief were distributed. Mr. Martilla is modest. It could have been 50 tons. But 50 or 80, the lifesaving relief moved in bulk.



Among the many private, voluntary activities pushed by Mr. Martilla and Assistant GOP National Committee Chairman Elly Peterson was the introduction of Little League baseball for poor black youths in Detroit.

When the violence simmered and uneasy peace came, the Action Center resumed the ombudsman business as usual. Complaints poured in on abuse from an unethical insurance company. The Republicans went to the State Insurance Department. The insurance company went out of business.

In the summer the Action Center moved black youngsters out to a camp. In the winter, women whipped up Christmas frosting for the kids, and mothers and families. A Little League baseball team, the first for black children, was organized. And many a Republican middle-ager found himself a coach at heart.

Mr. Martilla's word for all this is "involvement." It may not pay off in votes. Or it may. But the Action Center is hung up on involvement.

This is a pluralistic involvement—and the film shows how it can be done. The Detroit Republican Action Center is now in the hands of a district GOP board which is 80 per cent black and has a 26-year-old black chairman.

It has run educational programs in five high schools. And John Martilla says that at least 15 per cent, perhaps 20 per cent, of the black district's hard-core youths have been made firm job offers by Detroit's industrialists since the riots—through the center.

Now the Action Center program is going public. The next center will open in Wilmington, Del., where things got mighty rough awhile back.

The Republicans are talking of centers in Baltimore, Hartford, Newark, Plainfield, Pittsburgh and Dallas—each with a history of violence and bitterness.

At 29, Mr. Martilla is more stoic than cynic.

"There can be no final judgment until January or February," said he on the eve of the premiere. "Whether the action program works or not remains to be seen. And it will be seen. This is a highly visible operation. Even if we fail, this is a significant effort. We want to involve the local people. The action center is their vehicle. We'll soon see."

Even if it works, it may not work for the Republicans. The centers will give the young blacks a responsible political power base. They may take it in any direction. But there's involvement. That's the point—of the film—on and off the Broadways of the land.

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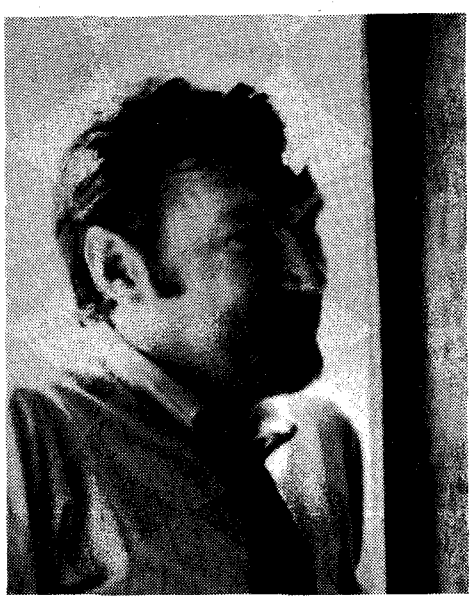

John Martilla, 29, is chairman of the Republicans' National Action Center Program.

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E. Total distribution	100,164	94,883
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I certify that the statements made by me above are correct and complete.

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SPOTLIGHT ON CONGRESS

GOP Party Loyalty

By SEN. BARRY GOLDWATER (R.-Ariz.)

I do not agree 100 per cent with everything that President Nixon does as head of the federal government merely because he is a personal friend and was my personal choice for the office he holds. But I believe the President of the United States, as commander-in-chief of the nation's armed forces and as the man designated by the Constitution to carry out the strategic policy of this country, deserves a lot better from his fellow Republicans.

I am not suggesting, nor would I suggest, any slavish adherence to each and every policy that comes from 1600 Pennsylvania Avenue merely because its present resident is a card-carrying member of the GOP in good standing.

But I do believe that we must close ranks and give him the support he needs on big, fundamental, strategic decisions that affect not only the future of the United States and the Republican party but the future of the entire free world. His policy in Viet Nam is just such a fundamental matter. And I have no time for important Republicans who oppose the President on Viet Nam—especially those who appear to be doing it for the sake of political advantage.

Shocking D.C. Crime

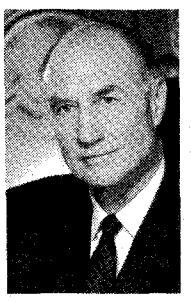
By REP. O. C. FISHER (D.-Tex.)

A glance at crime statistics in the District of Columbia is an indicator of what is taking place in many areas of the country. Robbery, murder, rape and burglaries are commonplace in the Nation's Capital. For example, there were 821 armed robberies reported in the city during September, compared with 714 in August, and this despite the addition of 150 patrolmen on overtime status in highway robbery areas. Burglaries in August were up 42 per cent over August 1968. During the first nine months of this year a total of 4,827 armed robberies was reported in the District. There were only 230 such crimes booked during 1960. Reasons for this upsurge are varied. Courts are unduly lenient with criminals. Supreme Court decisions have hampered enforcement. And the District has become a hotbed for criminals who have flocked here and who now account for more than 90 per cent of all crimes committed in the District. In an effort to better cope with the mammoth problem, new police are being recruited and trained. And a massive publicity campaign is under way, hopefully to get more cooperation from the public in law enforcement and the solution of violations.

Demand Congress Act

By SEN. STROM THURMOND (R.-S.C.)

There are some who say that a policeman should take special training courses in the social sciences, so that he will learn the alleged "causes" of crime, and the so-called "problems of the community." Such theoretical concerns must not burden the working police officer. He does not have time to be a sociologist and to debate the causes of crime while the criminals are escaping.



One way of demonstrating support for the police is to demand that Congress pass the Administration's crime bills that have had no action in Congress. U.S. Atty. Gen. John N. Mitchell, in a recent speech, pointed out that the Administration has presented more than 20 crime bills. However, since the Congress is controlled by the Democratic party, nothing has happened. "When the public elected this Administration, it wanted action against crime," the attorney general said. "We have done a great deal by executive action. But the monetary purse and the legislative sword are controlled by Congress."

The public must demand that these anti-crime proposals receive attention.

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House Chokes Off Liberal Oct. 14 Talkathon

On the evening of October 14, liberal House members attempted to keep the House in session through the night to debate the Viet Nam war in observance of the Viet Nam Moratorium the next day. However, late that evening members voted, 112 to 110, to adjourn for the day, thus thwarting the liberals' hopes. Following are the 110 who voted against adjournment:

DEMOCRATS: 83

Addabbo
Albert
Anderson (Calif.)
Biaggi
Boland
Brademas
Brasco
Burke (Mass.)
Carey
Clay
Conyers
Corman
Culver
de la Garza
Edwards (La.)
Eilberg
Evans (Colo.)
Feighan
Flood
Foley
Ford, William
Fraser
Friedel
Galifianakis
Gallagher
Gilbert
Gonzalez
Green (Pa.)
Hamilton
Hechler (W. Va.)
Helstoski
Howard
Hungate
Jacobs
Johnson (Calif.)
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Leggett
McCarthy
Madden
Matsunaga
Mikva
Minish
Mink
Moorhead
Morgan
Murphy (Ill.)
Natcher
Nedzi
Obey
O'Hara
Olsen
O'Neill (Mass.)
Patten
Pepper
Perkins
Philbin
Podell
Price (Ill.)
Pryor (Ark.)
Pucinski
Randall
Reuss
Rosenthal
Rostenkowski
Ryan
St. Onge
Scheuer
Smith (Iowa)
Stokes
Symington
Tiernan
Udall
Van Deerlin
Vanik
Waldie
Watts
Wilson, Charles
Wolff
Yates

REPUBLICANS: 27

Beall (Md.)
Biester
Brock
Brown (Mich.)
Button
Carter
Cleveland
Conte
Coughlin
Dellenback
Derwinski
Grover
Gude
Heckler (Mass.)
Horton
McDade
McDonald (Mich.)
Morse
Robison
Roth
Ruppe
Schwengel
Skubitz
Steiger (Wis.)
Vander Jagt
Wampler
Weicker

Legislative Boxscore

The following is a round-up of items of particular interest to Human Events readers:

• Largely as a result of the publicity generated by the October 15 Vietnam Moratorium, 14 measures have been introduced in Congress since September 24 which deal with **U.S. Viet Nam policy.** They range from Sen. Charles Goodell's bill (S 3000) to cut off authorization for U.S. combat forces in South Viet Nam by December 1970, to a resolution (H Con Res 564) introduced by Rep. Paul Findley (R.-Ill.) and co-sponsored by 108 House Republicans and Democrats which supports President Nixon's troop withdrawals and peace moves.

• The showdown vote between the Administration and its critics over the **nomination of federal Judge Clement F. Haynsworth to the Supreme Court** is expected during early November. The delay was caused by the two weeks allotted the Senate Judiciary Committee, which supported Haynsworth's confirmation, to prepare majority and minority reports. The final vote is expected to be close, but favorable to Haynsworth.

• President Nixon's proposals for **restructuring the nation's welfare program,** first announced early last August, have at last squeezed aboard the congressional merry-go-round. Hearings on the White House recommendations, officially tagged "proposed amendments to the Social Security Act of 1935," began October 15 before the House Ways and Means Committee. The Administration's bill (HR 14173) would essentially replace the present Aid to Families with Dependent Children (AFDC) program with a new Family Assistance program, designed to grant a yearly federal payment of $1,600 to families headed by a female or unemployed male, and to families headed by an employed male whose earnings total less than $3,920 annually. Recipients would be required to accept job training or employment when offered, and would thereupon have their annual federal payment reduced by 50 per cent of everything they are earning over $750 a year.

• Also before the House Ways and Means Committee, and undergoing concurrent testimony with the welfare proposals, is the President's plan to **raise Social Security benefits by 10 per cent.** The Nixon bill (HR 14080) would also make future benefit increases automatic, depending on escalation of the cost of living.

• The Senate Finance Committee has completed hearings on the House-passed **income tax reform bill** (HR 13270) and is now working behind closed doors to modify the strong House measure. One of the first actions of the Senate committee, which expects to have the bill reported by the end of October, was to strike out a provision to eliminate indirect federal taxation on currently exempt state and local bonds.

• As the Administration has not yet gotten around to introducing its **farm policy legislation,** Rep. Paul Findley (R.-Ill.) has submitted his own bill (HR 9009) to the House Agriculture Committee. Decrying "the unconscionable paradox which finds our government spending millions to curb food production while many of its citizens go hungry," Findley proposed a five-year phasing out of all acreage controls, marketing quotas and direct subsidy payments for wheat, food grains and cotton. Findley also had recommendations for improving the food stamp program, such as requiring that one member of each eligible family be required to take courses in family nutrition.

• Having blocked President Nixon's proposal to turn the Post Office Department into a government-owned corporation (see Human Events, last week, page 1), the House Post Office and Civil Service Committee inserted a surprise provision into its own bill (HR 4), removing the postmaster general from the Cabinet, but retaining him as a presidential appointee with a nine-year term of office. Otherwise, Administration supporters in the House say they will push on the floor to incorporate some of the President's **Post Office reforms** into the committee bill, although they have given up hope on having the corporation concept approved.

• Bowing again to the powerful postal workers union, and ignoring President Nixon's implied threat of a veto, the House has passed and sent to the Senate yet another **federal employes' pay raise bill** (HR 13000). Although it benefits some other federal workers, the bill's biggest boon is reserved for the postal employes: Retroactive to Oct. 1, 1969, all Post Office workers in grades 1 through 11 (the bulk of the department's employes) will be advanced two pay levels; also, the time it now takes postal workers to reach the top-pay levels was reduced from 21 to eight years. President Nixon vociferously opposed the measure, saying it would "seriously undercut" the Administration's efforts to curb inflation by adding an estimated $4.3 billion to the annual federal budget. Although Nixon did not say outright that he would veto the bill, this threat was strongly implied.

• The Administration's **draft reform bill** (HR 11780), providing that 18-year-olds be drafted through a lottery system, has been approved by the House Rules Committee and debate should begin soon. Under the strict rules drawn up for debate on the measure, however, no other provision of the Selective Service law can be altered except those dealing with the age of draftees and method of selection.

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